



## Tetra Tech EM Inc.

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September 14, 1999

Mr. Gordon Blum  
Community Involvement Coordinator  
U.S. EPA Region 5  
77 West Jackson Boulevard (P-19J)  
Chicago, IL 60604

**Subject: Public Meeting Transcript, Pagel's Pit Superfund Site**  
**Work Assignment No. 003-CRCR-05ZZ**  
**Contract No. 68-W7-0003**

Dear Mr. Blum:

Tetra Tech EM Inc. (Tetra Tech) is pleased to submit the public meeting transcript for the above-referenced site. Enclosed is the original transcript, a "4-on-1" condensed copy of the transcript, and an electronic copy in WordPerfect 6.1.

Please call Cheryl Vaccarello at (847) 818-7178 if you have any questions.

Sincerely,

for Joi M. Ross  
Project Manager

Enclosure

cc: Diane M. Spencer, EPA Project Officer (letter only)  
Peggy Hendrixson, EPA Contracting Officer (letter only)  
Cheryl Allen, EPA Work Assignment Manager  
Tom Kouris, Tetra Tech Program Manager (letter only)  
Cheryl Vaccarello, Tetra Tech

US ENVIRONMENTAL PROTECTION AGENCY  
PUBLIC HEARING  
PAGEL'S PIT SUPERFUND SITE  
WINNEBAGO COUNTY, ILLINOIS

August 25, 1999  
7:00 o'clock p.m.

HOWARD JOHNSON HOTEL  
WINTHROP ROOM  
3909 11th Street  
Rockford, Illinois

Reported by:  
Diane Hromek, CSR CMRS

MR. BLUM: Okay, folks, if I could have your attention. I guess we are going to get things started. Sorry for the delay. I was a little worried there for a second, I wasn't sure if we were going to have a court reporter or not, but she is here, thanks to you, who actually drove her here, but anyways, my name is Gordy Blum, I'm a Community Involvement Coordinator for the USEPA.

If you can't hear me in back, please raise your hand and let me know.

With me tonight is Bernard Schorle. Bernie is the Project Manager at the Superfund Site.

And, of course, the reason we are here tonight is to accept -- well, first to give you an overview of the proposed clean-up plan for the Pagel's Pit Superfund Site and, also, to go over the changes for the existing cleanup plan for the site.

That will be my, actually, what I will do right now is, I think I will go over the Agenda.

I hope when you came in that you were able to sign in.

APPEARANCES:

MR. GORDON BLUM, USEPA  
Community Involvement Coordinator  
MR. BERNIE SCHORLE, USEPA  
Project Manager, Superfund Site.

APPEARANCES BY THE PUBLIC: PAGE:

MR. JOHN EKBERG	75
MR. JAKE HENRY	76
MR. FRANK WYSOCKI	77
MR. DAVID BROWN	78
MR. FRANK MANZULLO	79
MR. TOM MAXWELL	81
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MR. DEAN EKBERG	83
MRS. WINQUIST	88
MR. ART JOHNSON	88
MR. DARIUS TROSPER	89

The sign-in sheet helps us to be able to get information to you. It's really the only way we have to create a mailing list for the site, so as information becomes available, we can get it to you, because, obviously, you came tonight, you are interested in the site, and you would like that, so please sign in. And, if you didn't get a copy of the fax sheet describing this plan, there is one on the back table along with my card.

If you take a look at the agenda, the reason I am going over this is because this is kind of a formal meeting.

As part of Superfund law, there are certain stages where you must hold a public hearing to get the public's input on whatever it is you are deciding to do, and that's why we are here tonight.

So, what I would like to do is I will go over the Superfund process and an overview of how the normal Superfund chain of events works, because that way when Bernie follows me with his presentation of the proposed plan, and he starts throwing around terms like "Record of

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1 Decision," and "Remedial Investigation" and things  
2 like that, hopefully, it will all kind of make  
3 sense to you.

4 After Bernie gives his  
5 presentation, what I want to do then is I want to  
6 open up the floor for questions and answers.

7 And please, if you have any  
8 questions on what Bernie has presented to you, ask  
9 them at that time because after all that question  
10 and answer period is over we must allow time  
11 tonight for a formal public comment period. And  
12 what we are going to do then is if you wish to make  
13 a statement on the record tonight, on the proposed  
14 plan that we have, I will have you stand up one at  
15 a time, stating your name and spelling it.

16 If you notice, to my right, we  
17 have a court reporter here. She's recording  
18 tonight's meeting in its entirety, and a transcript  
19 of this meeting will be placed in the Information  
20 Repository that's at the Rockford Public Library,  
21 and also, as part of the Administrative Record that  
22 is at the library, and also at EPA Region V  
23 headquarters. If you are interested, you can also  
24 go to the repository and see that.

1 questions you might want clarification on.

2 We might have to cut that  
3 short, however, because we have to allow time for  
4 the formal public comment period, and that is what  
5 I was talking about, where you get up, state your  
6 name, and say, you know, "I believe we should be  
7 doing this or that," whatever, and we won't be  
8 responding to those tonight.

9 Also, you do not have to, if  
10 you want to make a comment on our proposed plan,  
11 you do not have to do so tonight. I mean, some  
12 people do not like speaking in public, I totally  
13 understand that. Sometimes I don't like it.

14 On that Fact Sheet, and also my  
15 card at the back table, I have an e-mail address.  
16 There is a fax number. You can phone us, you can  
17 write letters.

18 The comment period runs  
19 through, I believe September 13th, it's listed on  
20 the front of your fax sheet, so you can also submit  
21 comments that way.

22 Is everybody kind of clear on  
23 that?

24 A. This is the only meeting you will have

1 We will be addressing these  
2 comments then not tonight, we will be taking these  
3 back to Chicago, and we will be producing a  
4 document called the Responsiveness Summary; in that  
5 we will address the concerns and state our  
6 rationale for whatever it is we decide to do after  
7 we accept your input, and that will be made a part  
8 of the Record of Decision, whatever it may be, and  
9 that document will also be placed in the  
10 Information Repository, Administrative Record in  
11 the library.

12 Is there any questions on  
13 anything that I went over so far? Is anything  
14 unclear? Because I know this is kind of a strange  
15 format, but this is a required format by Superfund  
16 law that we must follow.

17 So -- sir?

18 A. Did you say there won't be discussion  
19 tonight, all you can take is comments?

20 MR. BLUM: No, no, if you look in your  
21 Agenda, No. 3 here, and I am glad you asked that,  
22 is question and answers. We will have a short  
23 question and answer period after Bernie's short  
24 presentation, and at that time, please ask any

1 on this?

2 MR. BLUM: Yes, sir.

3 Just so you are clear, when  
4 Bernie gives his presentation, I wanted to kind of  
5 go to over a generic kind of Superfund scenario.  
6 This is how a National Priorities Site works.

7 The first thing, of course, is  
8 the contamination is discovered somehow. That can  
9 be through a variety of mechanisms. A lot of times  
10 it's through a complaint filed by a citizen that  
11 lives nearby the site.

12 There is a number of ways that  
13 can happen.

14 We'll investigate it. Then we  
15 will do a Site Evaluation. We will take some  
16 samples and things like that. We will score the  
17 site, then.

18 These samples and stuff will  
19 relate to a numeric value.

20 If it scores high enough, I  
21 believe it's something like 28.5. That site would  
22 then be considered for the National Priorities  
23 List. If it's scored high enough to be placed.

24 On this site did. I believe it

1 was proposed in '84 and listed in '86.

2 After it's on the National  
3 Priorities List, then it's eligible for cleanup  
4 under Superfund.

5 We will do what we call  
6 Remedial Investigation and Feasibility Study, and  
7 that is a more in-depth study to try and determine  
8 the nature and extent of contamination at the site.

9 We want to know what it is out  
10 there, how much it's going to be, and then after we  
11 have got that, determine the Feasibility Study is a  
12 way they look at it and decide okay, we have got  
13 this contamination here. What are the engineering  
14 solutions out there available that would allow us  
15 to treat that to be required clean-up levels?

16 That bottom part about  
17 presumptive remedy, all that is saying is certain  
18 types of scenarios, there are certain remedies that  
19 we have dealt with before, and we know that they  
20 will work again, so sometimes we can go right to  
21 that. However, that wasn't the case here.

22 After we have got our  
23 feasibility study, and we have got some engineering  
24 plans, we think will work, sometimes we have like

1 simply a term for reconstruction is happening,  
2 ground is being broke, we are implementing the  
3 plan.

4 However, sometimes after you  
5 make a Record of Decision, during your Remedial  
6 Design, further information will come to light as  
7 you do more studies and you develop your  
8 engineering plans, and we have will decide, you  
9 know, that was good in such and such a year, but  
10 right now we have new information that says, you  
11 know, that wouldn't make sense anymore. Things  
12 have changed. We need to go a different route  
13 here.

14 However, we can't just do that  
15 on our own, we have to go back to the public and do  
16 what we call a ROD amendment.

17 And that is also a part of what  
18 we're doing tonight.

19 There was a Record of Decision  
20 for this site back in 1991 that stated that we were  
21 going to clean part of the landfill known as  
22 Operable Unit One, with a certain, you know, there  
23 was a certain list of requirements that we were  
24 going to do.

1 five or six that we know will work, we will  
2 evaluate them and we will try to determine what we  
3 feel is the best cleanup solution for the site.

4 However, at that point, we will  
5 take the -- the list of those plans, and the one  
6 that we think is best, and we will take it to the  
7 public, and that's basically what we are doing  
8 tonight. We are presenting you a proposed plan.

9 We are also presenting you with  
10 a proposed ROD amendment which -- let me back up a  
11 second.

12 After the proposed plan, we  
13 will take -- accept the public comments. Right  
14 then, we will make a decision.

15 That is called, officially, a  
16 Record of Decision.

17 We have decided yes, we are  
18 going to go with this proposed plan, or we are  
19 going to go with that one.

20 After that we move into the  
21 Remedial Design where they officially determine how  
22 it is they are going to do the engineering plan to  
23 install the remedy.

24 And the remedial action is

1 However, since that time, we  
2 have looked at things and decided, you know, some  
3 of that stuff doesn't make sense anymore. And  
4 Bernie is going to get into this a lot more  
5 in-depth during his presentation. I am really just  
6 trying to skim the surface so you can kind of  
7 follow where we are at.

8 So, what we are proposing here  
9 is a ROD amendment. And when we do that, it's just  
10 like as if we were going back with a new proposed  
11 plan. We have to come to you again, present what  
12 it is we want to do, and accept your comments and  
13 accept public input on what it is that we are  
14 presenting to do just -- just as we did the first  
15 time when we went through with the proposed plan.

16 And if there is any questions  
17 on anything I went over, because I know I kind of  
18 hurried through that, please ask right now.

19 If not, what I am going to do  
20 is I know we want to get through this, so turn it  
21 over to Bernie who is going to go over the  
22 specifics of the plan that we are presenting to you  
23 tonight.

24 So this is Bernie Schorle.

1 Bernie is the Remedial Project Manager for the  
 2 Pagel's Pit Superfund Site.  
 3 Do you need this?  
 4 MR. SCHORLE: No, no, I do need it.  
 5 I would like one clarification  
 6 on one thing Gordy went over is we are essentially  
 7 proposing here a really a ROD -- an ROD amendment.  
 8 So what we will come out with,  
 9 assuming we don't have to make major changes, is  
 10 one document that we will just call a Record of  
 11 Decision, or another ROD, but it will serve both as  
 12 a ROD and a ROD amendment. A ROD for what we call  
 13 "Operable Unit 2," and I will get into what that is  
 14 in a few minutes, and also a ROD amendment for the  
 15 change that we are talking about for the part of  
 16 the remedy, in Operable Unit 1.  
 17 I imagine most of you are  
 18 familiar with the location of the site. You have  
 19 got Baxter Road north of the site right about  
 20 here. Lindenwood Road runs down past the site,  
 21 this is the site itself.  
 22 It's an operating landfill.  
 23 It's been operating since, I believe, about 1972.  
 24 Kilbuck Creek runs, snakes

1 flow over to Kilbuck Creek. My understanding, most  
 2 of the time, it infiltrates back into the ground  
 3 well before it gets over to Kilbuck Creek.  
 4 Now, one of the problems with  
 5 that operation, or possible problems, is the area  
 6 over is over in here where -- where the ground  
 7 water is is in something called what we call  
 8 fractured bedrock. If you see some of the quarries  
 9 around the area, or even out on I-39, you can -- I  
 10 know north of Baxter Road you can see on the side  
 11 of the road where the rock is actually coming,  
 12 coming out of the ground, and that's -- the thing  
 13 with fractured bedrock is the contaminants are  
 14 going to run, flow in the fractures, but not in the  
 15 rock itself, and it's difficult to get the  
 16 contaminants out of there.  
 17 The -- as Gordy mentioned  
 18 before, there was a ROD issued in 1991, for what we  
 19 call Operable Unit 1.  
 20 And Operable Unit 1 consisted  
 21 of the ground water, and the waste area of the  
 22 site, except for the ground water in the southeast  
 23 corner, which is approximately in this area.  
 24 We cut that part out at that

1 along in through on the west side of the site. And  
 2 on the east side of the site is another Superfund  
 3 Site, Acme Solvent.  
 4 Now, the Acme Solvent site,  
 5 primarily, it's contamination went into the ground  
 6 water was organics. Apparently, the operation  
 7 there was that they distilled dirty solvents  
 8 someplace, I think in town, and took what we call a  
 9 still bottoms, or the contaminants that didn't  
 10 distill off, and just kind of dumped them on the  
 11 ground out there, and that caused the contamination  
 12 over there.  
 13 The ground water flow in this  
 14 area is to -- primarily, toward the west or  
 15 slightly north of west. And, consequently, some of  
 16 the contamination from Acme Solvents apparently has  
 17 been carried over into the Pagel Pit area.  
 18 As a part of the remedy for the  
 19 Acme Solvent site, they have a series of wells in  
 20 through this area that where they are extracting  
 21 ground water and treating it and then discharging  
 22 the treated water into this unnamed stream that  
 23 runs across the site here.  
 24 That discharge not only should

1 time because there was some question about who  
 2 might be responsible for the contamination there.  
 3 And the Record of Decision that was issued then  
 4 pretty much just called for the normal closure of  
 5 the landfill. When it reached capacity they had to  
 6 put their, the sanitary landfill cap on, according  
 7 to the state regulations, and also had to put in  
 8 some means of controlling the level of leachate in  
 9 the landfill, and the leachate is the liquid that  
 10 accumulates in the landfill either from  
 11 infiltration, which is the most the common source,  
 12 at least, and primarily, while you are still  
 13 operating, and also control the gas that is  
 14 generated, so that they wouldn't build up gas  
 15 pressure in there that would push gas out beyond  
 16 the waste boundary.  
 17 They had been doing that,  
 18 anyway. They used that gas out there to dry sludge  
 19 that they received from the waste water treatment  
 20 plant in Rockford before they put that into the  
 21 landfill.  
 22 After we issued that, this just  
 23 shows the kind of a generalized cross section of  
 24 the ground through the landfill.

1 This would be to your waste,  
2 waste area.

3 The gray area is the, what we  
4 -- the fractured bedrock of dolomite.

5 This area over here is kind of  
6 just a sand and gravel, so the ground water flows  
7 fairly easily through that. It flows with much  
8 more difficulty through the fractured bedrock.

9 This line across here is the  
10 approximate location of the water table. Below the  
11 water table you have the media, whatever it is down  
12 there, the fractured bedrock, or sand and gravel  
13 saturated with -- with water. Above that you have  
14 mostly air in the spaces between the particles.

15 This shows -- this is the data  
16 from January 1999, and shows water level elevations  
17 in the ground.

18 And what this helps us  
19 determine is what the direction of the ground water  
20 flow is because -- these lines are all constant  
21 elevation -- constant elevation for the ground  
22 water. And then the ground water flow is  
23 approximately perpendicular to one of those lines,  
24 so, in this area, the ground water flow is like

1 ground water pressures in the bedrock itself.

2 It's probably a little more  
3 idealized here because we have less data down in  
4 there.

5 Well, okay, I will get into  
6 that later.

7 One of the things they -- they  
8 determined early on, after the Record of Decision  
9 of 1991, and also following that we negotiated a  
10 consent decree with what we call the potentially  
11 responsible parties, and the result of that was  
12 most of the parties were what we essentially call  
13 "cashed out." A lot of them were de minimis, and  
14 they paid a certain amount of money that went into  
15 -- part of it went back to USEPA to pay, some of  
16 our past costs. Some of it went into a fund to  
17 help pay for the remedy. And the operator of the  
18 landfill was given the responsibility of carrying  
19 out the work that had to be done according to the  
20 1991 Record of Decision.

21 Now, one of the early things  
22 they determined in what we call the "Remedial  
23 Design" was that if you put a well, an extraction  
24 well down near the creek, between the end, the

1 that.

2 Over in here it straightens out  
3 a little bit more.

4 It's probably a little more  
5 complicated here because of the meandering of  
6 Kilbuck Creek, because that somewhat sets a  
7 condition on the ground or on the water levels.

8 That particular one was for  
9 the ground water level in the upper part of the  
10 sand and gravel aquifer. This is what it is in the  
11 lower part of the sand and gravel aquifer. It's  
12 somewhat different as you go down.

13 Now, besides ground water flow  
14 in a horizontal direction, you can also have it in  
15 the vertical direction, either up or down, which I  
16 believe up -- up in that southeast corner the  
17 ground water, there is a downward component of the  
18 ground water.

19 And this is -- the ground water  
20 flow or the water level.

21 Really, when you get away from  
22 the water table, what we are talking about is,  
23 essentially, are water pressures, but -- it amounts  
24 to the same thing, and this is the flow or the

1 western end of the landfill and the creek, the  
2 amount of water you were going to get out of that  
3 well was considerably greater than what we had  
4 anticipated, based upon the information we had  
5 obtained during the Remedial Investigation.

6 The other thing they determined  
7 was that there was a considerable amount of ammonia  
8 in this water probably, mostly, from the leachate  
9 that was coming from the landfill, but some of it  
10 also could have been, could be generated in the  
11 ground because of biological reactions that are  
12 going on with some of the contaminants.

13 What these three things meant  
14 is that if we were to put in the pump-and-treat  
15 system that the 1991 Record of Decision called for,  
16 in order to block the movement of the contamination  
17 of the western end of the landfill, that system was  
18 going to have to be much larger than had been  
19 anticipated and, also, more complicated because of  
20 the ammonia.

21 Ammonia is not easy to remove.

22 If it were just -- some of  
23 these volatile organic compounds that were also  
24 present, you could strip them out fairly easily.

Ammonia you can strip out of the water, but first of all you have to raise the pH by adding a base to the water. Then you strip it, and then, in order to be able to discharge that water you have to bring the pH back down again toward neutral, or where it was, to start with.

The other thing is one of the things we didn't know is whether -- the reason for the increased flow or the increased flow from these wells might be that we were really drawing water from the creek, in which case we would probably just dilute the contaminated ground water with this creek water and -- and possibly come up with a water that wouldn't even need treatment before you discharge it.

So, we decided to look for an alternative to this pump-and-treat burial well system.

They looked at various things. One of the things they particularly looked at was a possibility of air sparging where they would inject air down into the ground water through wells, let it bubble up through that ground water, and actually have some other wells in there to collect

we are reducing the driving force that causes that liquid to leak out of the bottom and get into the ground water.

So, we have reduced, we are in the process of reducing the source of the contamination.

When they get the final cover on the other two thirds of the landfill, which is projected to happen within the next couple years, because they are pretty close to capacity on what the permit allows them to put in there, which is pretty much -- which is really specified by the height that they can go to.

Now, in the process of working out this waiting and following the contamination, they develop what we call a Ground Water Management Zone. And that zone is defined by, I am trying to remember, the AQGS alternative -- alternate or -- Ground Water Quality Standards.

These are based upon a statistical analysis of what the back ground water is, or the water that's over in this area that should be unaffected by the landfill.

And the Ground Water Management

that air so that if it needed treatment we could treat it or just discharge it to the atmosphere.

They were -- at that time they were also working with the state to modify their permit. They, in particular, increased the size of the landfill in the upward direction.

And the state, in working with the state, the idea came forward that what we maybe should do is just wait and see what would happen. So we have been going along with that for the last few years.

Now, the approximately one third or almost 17 acres of landfill, approximately about in here, has now received the final landfill cover.

That should help to cut off the source of the contamination to the ground water.

They have, in that finished part they have wells for extracting gas. These wells go as close as they can to the bottom of the landfill, and they have pumps down in those wells for removing leachate.

So what we are doing with that is by removing that liquid from within the waste,

Zone is then that area that has concentrations of the substances that exceed these standards.

Now this one shows what the Ground Water Management Zone looks like in the upper part of the aquifer, just based on the flouride concentrations, so the Ground Water Management Zone is coming around here and going back into this side of the landfill.

Then there is another section out in here.

And that Ground Water Management Zone is really a volume thing that -- and but it's not straight side.

So this is the Ground Water Management Zone in the lower part of the upper an aquifer.

I mean, it pretty much covers a similar area, but it is shaped a little bit differently.

There's another one for -- and down in the bedrock aquifer there are no exceedences of that standard.

There's another Ground Water Management Zone that can be set up on the basis of



1 the ammonia concentrations.

2 These two are somewhat similar  
3 and they, that essentially sets what the Ground  
4 Water Management Zone, the combination of those  
5 two. They are the ones that go mostly out, out  
6 past the -- the end of the landfill.

7 This is the type of cap that  
8 they have put on the part of the landfill that they  
9 have covered so far, except for one modification in  
10 here, but here you have the waste down at the  
11 bottom.

12 A. Mr. Schorle, can you angle that up  
13 higher?

14 MR. SCHORLE: Is that okay?

15 A. A little higher -- thank you.

16 MR. SCHORLE: Down at the bottom we have  
17 the waste.

18 Unfortunately, back at our  
19 office, we don't have a color copier.  
20 I had a nice color paper, but  
21 -- but I couldn't really copy it.

22 MR. BLUM: My Vanna White impersonation.

23 MR. SCHORLE: Above the waste we may have  
24 some, what we call "common fill," or making sure we

1 have 30 inches of protective cover.

2 And above that is a six-inch  
3 vegetative layer to support grass or whatever.

4 There is some moisture that's  
5 going to get through those -- those things, and  
6 when it gets down to the drainage layer, the  
7 drainage layer allows so much more flow than the  
8 material above it that it can allow that -- the  
9 water to flow off and away from it so you don't  
10 have a head of water or a pressure of water pushing  
11 on that geomembrane.

12 And this is the type of cap  
13 that the state requires now.

14 They do have at least one  
15 alternative on this.

16 Instead of using the one foot  
17 of -- of clay and the geomembrane, you could use  
18 three feet of clay.

19 One of the purposes that the 36  
20 inches of material above the geomembrane and the  
21 clay serves, or yes, is to protect the clay from  
22 frost damage.

23 If you get freeze and thaw  
24 cycles on clay, it will tend to cause the clay to

1 get the proper slopes, but anyway, but that -- is  
2 not really a necessary part of the cap.

3 There is some drainage in there  
4 that that allows.

5 Then, above there, we have one  
6 foot of clay layer that has a what we call a  
7 permeability on which is the measure of resistance  
8 to flow that is a maximum of 10 and minus 6  
9 centimeters per second.

10 Above that we have a  
11 geomembrane, which is a plastic sheet, 30 mil  
12 thick.

13 Then above that we have -- this  
14 one shows a sand drainage layer. Really, what they  
15 wound up putting up there, on top of the landfill  
16 the flatter parts, they put in about eight inches  
17 of pea gravel, which allows for drainage, and on  
18 the side slopes they put in geonet material which  
19 has a capability of allowing flow that would be  
20 similar to or at least as good as what eight inches  
21 of sand would allow.

22 What this is doing is allowing  
23 the moisture that does get through -- well above  
24 that sand layer or that drainage layer then, you

1 crack, so this protects it from that -- from that  
2 freeze/thaw cycle.

3 Actually, in a situation like  
4 this, the clay may be fairly warm because the  
5 landfill itself, even in the wintertime, is going  
6 to be warm because it is, there are -- there are  
7 reactions going on, biological reactions that do  
8 generate heat.

9 Now, what we are proposing, we  
10 have to -- okay.

11 As I said at the beginning, we  
12 have two things here, we are proposing a remedy for  
13 Operable Unit 2, which is the ground water in the  
14 southeast corner, and we are proposing a change in  
15 the ground water remedy for the rest of the site.

16 For Operable Unit 2 what we are  
17 proposing is a no-action remedy. However, no  
18 action will require that monitoring go on with that  
19 ground water.

20 The part of the property to the  
21 west or part of the landfill property to the east  
22 of Kilbuck Creek is already under restrictions with  
23 regard to what we call "institutional controls."  
24 You cannot put water wells in there as a source of

1 water, and we can put monitoring wells, obviously,  
2 we have to do that. So that ground water in the  
3 southeast corner is -- is not going to be a hazard  
4 to anyone because we are not allowing anybody  
5 access to it.

6 The other thing is they have a  
7 permit out there to develop another landfill south  
8 of the one that we have here, and with the two  
9 landfills around the southeast corner, nobody is  
10 probably going to want to use that property for --  
11 for any use where you might want to have ground  
12 water.

13 And the landfill does own that  
14 property, so they have control over it.

15 That ground water that is in  
16 the southeast corner, it's flowing toward the rest  
17 of the ground water, so it makes sense that  
18 whatever we are going to do with the rest of the  
19 ground water, we should just use that to handle  
20 that southeast corner.

21 A. Didn't you say the ground water was  
22 flowing to the west?

23 MR. SCHORLE: To the west, yes.

24 A VOICE: What about the houses that are to

1 Underground water flows faster  
2 through sand and gravel --

3 MR. SCHORLE: Yes.

4 A VOICE: -- than it does anything else.

5 Limestone, it flows so fast  
6 through limestone, it cannot be purified by nobody  
7 -- you, nobody else.

8 A VOICE: And if you are allowing it to be  
9 put in limestone and flood areas and sand and  
10 gravel, you are going to pollutant it.

11 MR. SCHORLE: Well, it's already in the  
12 sand and gravels down here.

13 A VOICE: But you guys are EPA, supposed to  
14 be EPA stopping the pollution of ground water  
15 table.

16 Ground water table there, you  
17 are letting them putting the dump in ground water  
18 table, and then pumping the water up and putting it  
19 in the creek.

20 A VOICE: I think what he said, "P" stands  
21 for "protection" and we wonder where that's at?

22 MR. SCHORLE: Well, the "protection" is  
23 going to be in controlling the sources.

24 We are controlling the

1 the west of the dump?

2 MR. SCHORLE: There are very -- the  
3 landfill itself is approximately in here.

4 There are some homes up here,  
5 but the ground water flow is primarily in this  
6 direction.

7 A VOICE: Yes, my house is right along the  
8 river, what do you mean?

9 MR. SCHORLE: What?

10 A VOICE: Due west of the dump.

11 MR. SCHORLE: How close?

12 A VOICE: Oh probably within three quarters  
13 of a mile -- half mile.

14 MR. SCHORLE: You are over in here?

15 A VOICE: Uh-huh, I'm in Living Woods. I'm  
16 before 251.

17 MR. SCHORLE: Okay -- okay.

18 Yeah, right up in here, okay.

19 Okay, the contamination right  
20 now is -- is pretty much in this area here.

21 A VOICE: You are still saying the  
22 underground water flow is going to the west so  
23 sooner or later that is going to pollutant the  
24 whole area, if you do not stop it.

1 contamination that was coming from Acme with that  
2 well system that's over there. With the landfill  
3 we are controlling the contamination by cutting off  
4 the source by putting a cap on it, reducing the  
5 leachate levels in the landfill to take the  
6 pressure off the bottom and cut off that source.

7 Let me get into the proposed  
8 change, then, for -- well, as far as Operable Unit  
9 2, what we are talking about is really, we are  
10 going to handle the ground water as one unit.

11 Okay, for -- the ground water  
12 in Operable Unit 1, what -- we are proposing to do  
13 is what we call monitor natural attenuation.

14 We are going to follow the  
15 contamination over there. We expect that the  
16 source control that is going to be -- that has been  
17 put in is going to be put in, is going to greatly  
18 reduce the source of the contamination and then  
19 that will -- that, in combination with the natural  
20 cleansing actions that you get in the ground, is  
21 going to eventually remove that contamination.

22 We will be monitoring over  
23 there if -- if the monitoring shows that this is  
24 not happening or if the contamination is moving

1 rapidly out of that area and expanding that area,  
2 then there is a contingency remedy along with this  
3 that will require active action to address the  
4 ground water contamination.

5 Now that may mean similar to  
6 what we were talking about in the 1991 ROD, the  
7 extraction wells, it could be an air sparging  
8 system, whatever it would appear would work to  
9 control that contamination.

10 A VOICE: You have to stop and  
11 pump-and-treat now?

12 MR. SCHORLE: That pump-and-treat was never  
13 put in.

14 We put in -- they put in one  
15 test well and -- but there was never, that was  
16 never completed.

17 A VOICE: Which way does the, excuse me,  
18 which way does the water flow right across from the  
19 pumping station?

20 I live right across the street.

21 MR. SCHORLE: You mean -- up by --

22 A VOICE: Where they put the new little  
23 water.

24 MR. SCHORLE: At the corner of Baxter and

1 MR. SCHORLE: That well is being used to  
2 supply water to several of the homes along  
3 Lindenwood Road that were either contaminated --  
4 those wells were either contaminated by Acme or  
5 there was a possibility they would be contaminated.

6 A VOICE: I don't know if they checked my  
7 mine for contamination or not. I don't have that  
8 water.

9 MR. SCHORLE: No, yes, nobody has been  
10 checked up there because that's another -- that's  
11 far enough removed that --

12 A VOICE: The water would be flowing the  
13 opposite way?

14 MR. SCHORLE: Well, it's flowing -- okay,  
15 -- you are way up here and -- you are up here and  
16 what we are talking about, the contaminated area is  
17 all down in this area here.

18 A VOICE: Okay.

19 MR. BLUM: Sir?

20 A VOICE: You are saying that this water  
21 will naturally clean itself up. Yet, when you  
22 started out, you said you found that this was  
23 contaminated in 1991. It's eight years and it  
24 hasn't cleaned itself up, so how are we to believe

1 -- and Lindenwood?

2 A VOICE: Right, right.

3 Uh-huh.

4 MR. SCHORLE: I am not sure.

5 I assume that would be a  
6 similar, somewhat westerly flow, but that well is  
7 in a much deeper aquifer than we are talking about  
8 here.

9 A VOICE: Yes, that is, I know, but I'm  
10 worried about mine.

11 MR. SCHORLE: It's also very side, what we  
12 call "side-gradient" to where -- the two  
13 contamination sources of Acme and Pagel's.

14 So that well and another one I  
15 think north of -- north of the Acme site had been  
16 tested in the past.

17 There was never any indication  
18 that there was any contamination down in that  
19 deeper aquifer.

20 Now, that well -- that  
21 particular well, are you one of those people that  
22 were supplied with water from that well?

23 A VOICE: I don't know, I just got my own  
24 well, I don't have any other water.

1 that in another eight years, which is going to put  
2 us up around two thousand and seven, that it's  
3 going to be cleaned up then when they go ahead and  
4 add another landfill?

5 MR. SCHORLE: Okay.

6 The amount of contamination in  
7 the ground water has been decreased. The data that  
8 we have has been showing that.

9 A VOICE: But it's eight years.

10 MR. SCHORLE: Yes.

11 A VOICE: And you are looking to put another  
12 landfill in.

13 MR. SCHORLE: For some of these things it  
14 does take some time.

15 The other thing is for down  
16 gradient from the Pagel's landfill, we still have a  
17 source of contamination.

18 I mean, we are adding  
19 contaminants to the -- to that ground water,  
20 because the leachate is still coming through the  
21 bottom of the landfill.

22 Now, as far as the other  
23 landfill --

24 A VOICE: So why don't you shut it down?

1 MR. SCHORLE: It was determined back in  
2 1991, that we did not feel that that was  
3 necessary. I mean, as long as we understand what's  
4 going on and know -- know where the contamination  
5 is, and it's remaining considerable distance away  
6 from any possible -- well, any well that may be  
7 using ground water, we felt that there was no way  
8 an immediate risk to require the shutting down the  
9 landfill.

10 A VOICE: Where is the proposed prison going  
11 to be in relation to the landfill?

12 A VOICE: Way up -- way up --

13 MR. SCHORLE: That has nothing to do with  
14 but it's way over here.

15 A VOICE: It's east one mile.

16 MR. SCHORLE: It's -- Yes.

17 So I guess the only relation is  
18 that the prison is high enough that they build it  
19 there, they may be able to see the landfill?

20 A VOICE: So?

21 A VOICE: Runoff will go through it,  
22 probably, it's right down.

23 A VOICE: You are the USEPA, right?

24 MR. SCHORLE: Yes.

1 things that go on.

2 The rest -- the intent of the  
3 rest, for the rest of the ground water is that that  
4 aquifer will be useable in the future.

5 A VOICE: Bill Howard told me that when that  
6 landfill was built, and this is Bill Howard, Jr.,  
7 of Rockford Blacktop, told me that they lined it  
8 with blacktop two inches thick at that time. Is  
9 that correct?

10 MR. SCHORLE: That's correct.

11 A VOICE: So how is this flowing through  
12 that?

13 MR. SCHORLE: If you have ever had a car  
14 that leaked, particularly gas, yes, but -- the one  
15 -- what I really notice about is power steering or  
16 transmission fluid. If it gets onto asphalt, and  
17 particularly can sit there and you get a fair  
18 amount on, that asphalt gets awful soft.

19 Now, down at the bottom of this  
20 landfill there is two inches, at least two inches  
21 of blacktop. And on top of there they put some  
22 sand. And in there they put perforated pipe that  
23 helps pick up the leachate, be able to take it over  
24 to some manholes.

1 A VOICE: So they build the landfill, screw  
2 up the water, you come in and say, "Don't use this  
3 water because it's contaminated," and that's what  
4 we get for protection in the USEPA? Do I have that  
5 figured right?

6 MR. SCHORLE: No.

7 The intent is that the ground  
8 water --

9 A VOICE: It's hard to hear those tap shoes  
10 on this carpet.

11 MR. SCHORLE: No, no. The intent -- okay.

12 I want to eliminate a certain  
13 amount of ground water that is not going to be  
14 cleaned up.

15 That is the ground water  
16 immediately under the waste area and within about  
17 100 feet of the waste boundary.

18 A VOICE: And that is still flowing west  
19 toward my house.

20 MR. SCHORLE: Now, wait a minute, now wait  
21 a minute, that will not, we will make no attempts  
22 to clean that up. It should attenuate at least  
23 somewhat on its own simply because ground water is  
24 flowing through there, and also, there are some

1 At the time, back in 1972, that  
2 was thought to be a fairly good design. Now, it  
3 has proved that it is not -- probably as good as  
4 they thought.

5 I have heard of at least one  
6 other landfill out east that apparently had a  
7 similar type of setup.

8 A VOICE: What brought the EPA -- what  
9 brought it to the attention in EPA? In '72, did  
10 you figure in 17 years there would be probably be  
11 pollution? If you figure now it's probably time to  
12 go ahead?

13 MR. SCHORLE: It came to our attention I  
14 believe around time that they were investigating  
15 the Acme site, and they found contamination over on  
16 the other side of the road.

17 A VOICE: But now you are going to have  
18 another landfill.

19 MR. SCHORLE: Okay.

20 Now the other landfill, it's a  
21 different thing.

22 A VOICE: How are you going to know which  
23 one is causing the pollution? The pollution in the  
24 ground already now how are you going to know if

1 it's the new landfill or the old one?

2 A VOICE: It's always going to be the old  
3 one.

4 MR. SCHORLE: No, no, no.

5 I mean, you can -- determine

6 -- I mean since -- if one was up gradient of the  
7 other, and they were in line, you probably would  
8 have a difficult time telling. But when they are  
9 side-by-side you can -- you can tell in that since  
10 the ground water is flowing toward the west, I mean  
11 if contamination is found essentially west of the  
12 new one, it's probably coming from there.

13 Now the other thing about the  
14 new one is it's got a different kind of a bottom.  
15 It's got, I think three feet of clay, compacted  
16 clay down there, which should be a much better  
17 bottom than the two inches of asphalt.

18 A VOICE: 30 inches.

19 MR. SCHORLE: 30 inches of clay.

20 A VOICE: 30 inches of clay. Then they put  
21 a liner. Then they put sand. Then they put more.  
22 I have watched them do it from the day they  
23 started.

24 A VOICE: But there is a gentleman from your

1 happen there, and in order to make sure that it  
2 does happen, we will be monitoring that ground  
3 water, is that with the combination of the  
4 extraction wells over at the Acme site, cutting off  
5 any movement of, some of the movement of  
6 contamination, you probably won't cut it all off  
7 coming over from Acme. And, also, the capping  
8 eventually, within the next year or two, of the  
9 western two thirds of the landfill, so the whole  
10 landfill is capped, will cut off, and then reducing  
11 the head of leachate in the landfill will cut off  
12 the source from the -- from the Pagel's Pit  
13 Landfill.

14 Now, if you look, if you look  
15 at the, what I showed before, the water, the water  
16 elevations, you can see that there is probably a  
17 component of ground water flow up in that corner  
18 that is essentially perpendicular to the edge of  
19 the landfill. So right in that corner there is  
20 some flow probably influenced by the landfill  
21 that's carrying contamination down into the  
22 southeast corner beside what is coming over from  
23 Acme.

24 When we cut off those sources,

1 office in Chicago who is of the Indian decent, I  
2 forget his name right now, that came out to one of  
3 our slug meetings and told us I don't care what you  
4 put on the bottom, within ten years it is going to  
5 leak. So why do you build these right on top of  
6 the stream or next to a stream? You don't fish?

7 MR. SCHORLE: No, I used to.

8 A VOICE: I love to eat fish, particularly  
9 catfish.

10 A VOICE: I have a question -- there are a  
11 bunch of wells over there. I am just going to ask  
12 you how sure are you that this stuff is clean?  
13 This stuff that you are testing and you are saying  
14 okay, we have no accident on this. How sure are  
15 you? Would you build your house on there? Is that  
16 how sure you are?

17 How confident?

18 And then, second thing, how can  
19 you make us confident that we can believe you?

20 MR. SCHORLE: Okay, now, first of all, when  
21 I say no action for that southeast corner, I am not  
22 saying that the ground water there is clean at this  
23 time.

24 What we expect is going to

1 and the natural attenuation that you get in the  
2 ground should eventually clean that area up.

3 A VOICE: Sir, you have not cut the source  
4 off. They do allow sludge dumping without it being  
5 dried north of Epsom Road. They dump sludge,  
6 unbelievable, every year, in the dump, every year.

7 You can go drive up there  
8 yourself and watch them dump it without drying it.

9 If you guys went, any time you  
10 want.

11 MR. SCHORLE: Now this is on the landfill?

12 A VOICE: Yes, sir.

13 MR. SCHORLE: Okay.

14 I am not -- the source is not  
15 contained at the present time because they are  
16 still putting waste in that landfill.

17 What I am talking about is when  
18 the last part of it gets capped, then we are going  
19 to pretty much control the source.

20 A VOICE: But you guys approved them to dump  
21 around the landfill, too, all over that end,  
22 right? With sludge?

23 MR. SCHORLE: They are supposed to dump in  
24 their waste disposal area, which is only above what

1 they have for a bottom.  
 2 They are not supposed to be  
 3 dumping outside of the waste disposal area.  
 4 A VOICE: They are not supposed to be  
 5 dumping on farms.  
 6 MR. SCHORLE: Well, now, that's not  
 7 dumping.  
 8 Spreading it on the farms is a  
 9 different thing.  
 10 A VOICE: But the EPA has approved it?  
 11 MR. SCHORLE: I am not involved with what's  
 12 going on with spreading land-applying sludge.  
 13 A VOICE: Well, you guys are worried about  
 14 the water table. You should be worried about that  
 15 sludge there.  
 16 MR. SCHORLE: That -- my understanding of  
 17 land, to put application of sludge is that that's  
 18 an approved thing.  
 19 A VOICE: It is by the state, but only one  
 20 company in this county can do that, and that's  
 21 them. All the other pumpers cannot. They have to  
 22 go to the county and have it, how do they call it--  
 23 A VOICE: Modified.  
 24 A VOICE: "Land applied." They have to take

1 it to the Sanitary District and then they pump it  
 2 out of there and take it and dump it out on the  
 3 farmland around there and right onto the dump  
 4 without it being treated.  
 5 MR. SCHORLE: There is no requirement that  
 6 the sludge going into the waste disposal area has  
 7 to be dried.  
 8 A VOICE: Then why are we drying it?  
 9 A VOICE: Oh, yes there is, sir, yes, there  
 10 is -- oh, yes.  
 11 MR. SCHORLE: Not that I am aware of.  
 12 A VOICE: The first -- has to be 78 percent.  
 13 A VOICE: They can put it on the land, '78  
 14 percent moisture.  
 15 A VOICE: I have two boxes of material, if  
 16 you want to read it.  
 17 A VOICE: You just said that Acme Solvent,  
 18 thought they were dumping the Solvent out there?  
 19 They weren't dumping it, they were burying the  
 20 drums.  
 21 In 1976, when I used to rabbit  
 22 hunt back out there, the stuff was bubbling out of  
 23 the ground, but you didn't care then. And it was  
 24 brought to your attention.

1 A VOICE: Well, the water cleans itself.  
 2 A VOICE: It should be clean by now.  
 3 MR. BLUM: I want to make sure that we have  
 4 time for the comment period, so I am going to ask,  
 5 we are going to get right back to questions,  
 6 Bernie.  
 7 MR. SCHORLE: Let me just go through one --  
 8 one final thing, and then --  
 9 MR. BLUM: Then I will throw you back to the  
 10 wolves.  
 11 MR. SCHORLE: What we referred to, Operable  
 12 Unit 1, what we are talking about for that -- the  
 13 change in the remedy there was we will go through  
 14 Modern Natural Attenuation, and the reason we feel  
 15 that this is a proper way to go is that the sources  
 16 are going to be contained.  
 17 The primary contaminants down  
 18 in that end right now are just really the chloride  
 19 and the ammonia and there is no real established,  
 20 that I am aware of, health limits with regard to  
 21 those. And, obviously, if you get enough ammonia  
 22 in water, you are not going to drink it, but -- and  
 23 it appears that a lot of the -- I mean, the primary  
 24 reason we were talking about doing a pump-and-treat

1 back in '91 were some volatile organic chemicals  
 2 that were in the ground water down at the western  
 3 end, and arsenic was also a concern.  
 4 The arsenic would probably be  
 5 solubilized because of the changes in the chemistry  
 6 in the ground. The volatile organic chemicals are  
 7 compounds because of time, and cutting off the  
 8 source at Acme seem to be decreasing quite a bit.  
 9 A VOICE: Were you testing for arsenic,  
 10 lately, and found -- what levels have you found?  
 11 MR. SCHORLE: I had --  
 12 Okay, in the May 19, 1997  
 13 sampling and the April 19, 1998 sampling events,  
 14 arsenic was found in the southeast corner wells.  
 15 There is five wells over in there. Ranged -- the  
 16 arsenic levels were 17 to 35 micrograms per letter.  
 17 What we refer to as the "MCL"  
 18 or the Maximum Contaminant Level for arsenic is 50.  
 19 In the down gradient wells, the  
 20 range was 2.6 to 25.  
 21 Now this is in the wells where  
 22 it was detected.  
 23 There were some wells where it  
 24 wasn't detected.

1 A VOICE: Parts per million?  
 2 MR. SCHORLE: That is micrograms per liter.  
 3 That is, I guess, parts per  
 4 billion, I think.  
 5 The main thing there is those  
 6 numbers compared to the 50, which is the -- the  
 7 Maximum Contaminant Level.  
 8 A VOICE: When you tested in '91, what were  
 9 the levels in?  
 10 A VOICE: What percentage increase would  
 11 that be since '91?  
 12 MR. SCHORLE: Okay, now, I don't have a  
 13 whole lot of -- what I do have is -- back when Risk  
 14 Assessment was done for the -- in the record or  
 15 the -- we made an investigation back in 1990 -- or  
 16 leading up to the ROD of 1991, the arsenic was a  
 17 significant contributor to the carcinogenic risk or  
 18 the risk to cause cancer.  
 19 Now, when it was -- what they  
 20 did then was they looked at all, and then didn't  
 21 have as many wells as they do now, but what they  
 22 looked at was all the ground water west of  
 23 Lindenwood Road -- using that as one aquifer.  
 24 Now, the risk was calculated

1 using a concentration of 8.4 micrograms per liter  
 2 for the arsenic.  
 3 A VOICE: 8.4 micrograms per liter? Now  
 4 you are going from 17 to 35?  
 5 MR. SCHORLE: Now wait a minute, now wait a  
 6 minute.  
 7 The range in those  
 8 concentrations was from 2 to 46.  
 9 Now, in April of 1998, I  
 10 believe were 31 wells were being sampled on the  
 11 West Side of Lindenwood Road. There were ten  
 12 detects of arsenic in those 31 wells, and that  
 13 ranged in concentration up to 25 micrograms per  
 14 liter.  
 15 A VOICE: The low was 2.6, which is still  
 16 higher than your low in '91.  
 17 MR. SCHORLE: Okay, but the -- but eight --  
 18 eight of those ten detects were below the 8.4  
 19 micrograms per liter that was used as a  
 20 concentration for calculating the risk of arsenic  
 21 back in 1990, really.  
 22 A VOICE: Did you test for heavy metals?  
 23 MR. SCHORLE: Yes.  
 24 They do -- I believe they do

1 -- they do a little bit different sweep of  
 2 parameters than we normally do do.  
 3 I think most of it results in,  
 4 I think they are doing even more than we commonly  
 5 do.  
 6 Commonly, Superfund sites for  
 7 metals, we do analysis for 23 different metals.  
 8 A VOICE: Is that done in Canada?  
 9 MR. SCHORLE: Pardon?  
 10 A VOICE: Do they send that to Canada?  
 11 MR. SCHORLE: Send the samples to Canada?  
 12 No, their lab, I forget what lab they are using,  
 13 but --  
 14 A VOICE: Sir, the question is you said  
 15 eight of these wells tested slightly below the  
 16 8.4. What about the four that didn't?  
 17 MR. SCHORLE: The two that didn't -- well,  
 18 one of them was 25, the other one was between 8.4  
 19 and 25.  
 20 A VOICE: One was at 25?  
 21 MR. SCHORLE: Yes.  
 22 And the MCL is 50.  
 23 A VOICE: Do you currently have a program of  
 24 any kind going on so the people that are west of

1 the landfill can get their wells tested for their  
 2 own assurance?  
 3 A VOICE: 15 dollars a time at net industry.  
 4 MR. SCHORLE: We don't have anything going  
 5 on right now.  
 6 A VOICE: Would Winnebago County?  
 7 MR. SCHORLE: I don't know about that. I  
 8 mean, possibly the health department.  
 9 A VOICE: They can't test for VLC's -- it's  
 10 about \$200.00 a test for VLC's.  
 11 They can test for nitrogen, but  
 12 if you want to find out if you have got organic  
 13 volatile compounds, you have got to send it to a  
 14 private lab, and it's about \$200 or more. That was  
 15 about ten years ago we tested ours.  
 16 MR. SCHORLE: Yes, it's expensive, that's  
 17 for sure.  
 18 A VOICE: So, how are we supposed to know if  
 19 our wells are safe?  
 20 A VOICE: You been sick?  
 21 MR. SCHORLE: You live -- Living Woods.  
 22 A VOICE: Living Woods, right next to us.  
 23 MR. SCHORLE: Okay, so you are up in this  
 24 general area.

1 I mean, at least as far as what  
 2 we are seeing down by the landfill, we are seeing  
 3 very few volatile organic compounds, even close  
 4 into the land.  
 5 So even if, I mean, if we went  
 6 out there and checked your well and found  
 7 volatiles, then we probably would be looking for a  
 8 source, because I doubt very much it would be the  
 9 landfill.  
 10 A VOICE: Have you been to the landfill?  
 11 MR. SCHORLE: Yes.  
 12 I have been out there several  
 13 times.  
 14 A VOICE: When?  
 15 MR. SCHORLE: I was there this afternoon.  
 16 I was there a couple months ago, I think.  
 17 A VOICE: You haven't looked at it real  
 18 closely, have you?  
 19 MR. SCHORLE: Today I didn't drive on it.  
 20 The last time I was out here I did drive on it, or  
 21 well, somebody drove me around.  
 22 A VOICE: I know who drove you around real  
 23 fast, 60 miles an hour?  
 24 MR. SCHORLE: No, no, we drove up on top and

1 stopped and looked around.  
 2 A VOICE: Have you drove around the outside,  
 3 drove slow around the outside?  
 4 MR. SCHORLE: I have gone around -- the  
 5 majority, I guess the last time, I don't know if I  
 6 went all the way, all 360 degrees. And we were on  
 7 the road inside the fence, I mean, right at the  
 8 base of the landfill, yes.  
 9 A VOICE: Should go out there right after it  
 10 rains and drive around -- take a pair of nose  
 11 plugs, it's bad.  
 12 That can't be safe.  
 13 A VOICE: Kills the grass right on  
 14 Lindenwood, but they had it graded up.  
 15 They got black dirt and  
 16 everything -- killed everything right along the  
 17 road. They got it sure graded pretty.  
 18 A VOICE: Bernie, I got a couple questions.  
 19 This is -- first your two maps,  
 20 one is that we apparently let the sides of the  
 21 sidewalls of this landfill, didn't have to be  
 22 protected from leaching out.  
 23 MR. SCHORLE: No, no, this is just as  
 24 though you were to take, take the landfill and --

1 cut, cut down through it and build and just look at  
 2 that surface.  
 3 A VOICE: Was anything done to protect the  
 4 sides?  
 5 MR. SCHORLE: The sides, the sides also  
 6 have a cover similar to --  
 7 A VOICE: I am talking about this section  
 8 here against where the fill is.  
 9 MR. SCHORLE: This part here would have --  
 10 I believe -- it's my understanding that this part  
 11 also has the asphalt.  
 12 A VOICE: When I went out there many years  
 13 ago there was nothing, there was just --  
 14 MR. SCHORLE: It's my understanding, in  
 15 fact, I think in some spots you can see at least  
 16 before -- well they put the cover on it, you can  
 17 see some of the asphalt coming through.  
 18 A VOICE: Apparently, looking at your  
 19 previous slide, we apparently contaminated the  
 20 other side of Kilbuck Creek?  
 21 MR. SCHORLE: Yes.  
 22 A VOICE: So, is anybody doing anything to  
 23 test water in Ogle County on Kilbuck Creek and then  
 24 test the water downstream to see what is going on?

1 MR. SCHORLE: They sampled Kilbuck Creek in  
 2 three points. One is up gradient of the landfill  
 3 -- let's see.  
 4 MR. BLUM: What was the question?  
 5 MR. SCHORLE: Where they are sampling.  
 6 I have an overhead that is  
 7 similar to the picture that is in --  
 8 A VOICE: In the fax sheet there is a  
 9 drawing.  
 10 MR. BLUM: We have enough time for two or  
 11 three more questions. Then we will have to start  
 12 the comment period, but we will go back to  
 13 questions after everyone has had a chance to  
 14 express their comment period.  
 15 We only have the room until  
 16 9:00 o'clock. However, if there are more  
 17 questions, we will hang around as long as it takes.  
 18 It's --  
 19 MR. SCHORLE: Kilbuck Creek flows in this  
 20 direction to the north.  
 21 This is the up gradient  
 22 sampling point.  
 23 Yes, there is three SG's on  
 24 there. The down gradient sampling point is up by



1 the bend up here, and then there is another one in  
2 between there.

3 A VOICE: The other side of the creek is  
4 contaminated?

5 MR. SCHORLE: Yes, there is contamination,  
6 shows up particularly in a couple of these, these  
7 wells.

8 There is actually three wells  
9 in this area, and one of those, there is  
10 contamination.

11 A VOICE: When they test from a bridge on  
12 251, does it show contaminated?

13 MR. SCHORLE: I don't know who is doing  
14 that testing.

15 A VOICE: The same guys that test everywhere  
16 else. They stand on the bridge with a bucket on  
17 the road, and they drag it down, and it bubbles and  
18 they pull it back up.

19 MR. SCHORLE: I have not seen any results  
20 of any testing.

21 A VOICE: Would you like pictures?

22 A VOICE: There is not a well there.

23 MR. SCHORLE: No, no.

24 He is talking about sampling

1 A VOICE: But that is a violation right  
2 there.

3 A VOICE: Wouldn't pump-and-treat be the  
4 most effective way to do it?

5 MR. SCHORLE: It would.

6 That would be probably a  
7 quicker way.

8 A VOICE: Wouldn't that be more expensive  
9 for Rockford Blacktop?

10 MR. SCHORLE: Well, it would be more  
11 expensive, yes.

12 A VOICE: Who is paying for that?

13 MR. SCHORLE: The potentially responsible  
14 party -- I mean, there are contributions from some  
15 of the other parties, and then most of the rest of  
16 it will be from Rockford Blacktop, or --

17 A VOICE: No taxpayer money?

18 MR. SCHORLE: The city and the sanitary  
19 district did throw in some money.

20 As far as I know, they are not,  
21 anymore.

22 A VOICE: Did you answer this lady's  
23 question about if they are in violation, why are  
24 they being charged?

1 the creek.

2 A VOICE: They are sampling the creek, but I  
3 think that is the county or the state doing that.

4 That is the nearest well, not  
5 too far from the dump.

6 A VOICE: Well, there is a well on the other  
7 side of the creek.

8 A VOICE: There is one right by the lake  
9 they dug through.

10 MR. BLUM: Okay. I am sorry -- ma'am, did  
11 you have a question?

12 A VOICE: I was understanding why that is  
13 not a violation of the Clean Water Act of that  
14 contamination of the Kilbuck?

15 A VOICE: That is Rockford Blacktop.

16 A VOICE: Because the Kilbuck runs into the  
17 Kishwaukee, so why isn't that a violation right  
18 there?

19 MR. SCHORLE: There is, for some of the  
20 parameters, there is some indication that there is  
21 some of the contamination from the ground water is  
22 getting in the Kilbuck.

23 I mean, what we are trying to  
24 do with this whole setup is to stop that.

1 MR. SCHORLE: I don't know whether that's  
2 -- I mean, this is -- I am not completely familiar  
3 with the Clean Water Act.

4 A VOICE: I think it has to be an adequate  
5 stream, I mean the Kilbuck does flow into the --

6 A VOICE: Would you check that for us?

7 MR. SCHORLE: I can look into it.

8 The complicating factor you get  
9 into with something like that is point what they  
10 call Point Source.

11 If you have a pipe that takes  
12 contamination into a creek, you are probably in  
13 violation. But a farmer who has runoff from his  
14 fields, that's apparently not a violation.

15 A VOICE: You know, you know it's  
16 contaminating the Kilbuck. I mean, you are not  
17 guessing?

18 MR. SCHORLE: No, no.

19 A VOICE: You know the source.

20 MR. SCHORLE: It's not guessing. I also  
21 know if a farmer applies fertilizer.

22 A VOICE: I understand what you are saying.

23 It's hard to determine what  
24 contaminates a creek, but in your case --

1 MR. SCHORLE: Well, it's not so much  
2 determination, it's one thing to cut off the  
3 contamination that's coming from a Point Source or  
4 say a pipe, and something else to cut off the  
5 contamination that's spread fairly evenly over a  
6 large area.

7 A VOICE: But if you could pump-and-treat,  
8 you could get rid of the contamination.

9 MR. SCHORLE: You could probably bring this  
10 thing to -- you could reduce the contamination  
11 quicker, yes.

12 A VOICE: How much faster as opposed to your  
13 natural?

14 MR. SCHORLE: We have not tried to make any  
15 estimate, no.

16 MR. BLUM: This gentleman here had a  
17 question. Then I will take yours. Then we are  
18 going to have who to move into the comment period.

19 A VOICE: The '91 ROD talked about pumping  
20 and treating, but the capacity was too great for  
21 them to ever implement that, that system.

22 Now you have said here today  
23 that you have contained the western flow of this  
24 contamination. If you are not pumping and

1 doing anything other than monitoring it and capping  
2 right now to stop the flow, what are we amending  
3 here? I mean, if nothing -- if you are not pumping  
4 and treating now, what are we amending?

5 MR. SCHORLE: We are amending the -- right  
6 now there would be a requirement that they do  
7 pump-and-treat. We are amending it to remove that  
8 requirement at this point.

9 A VOICE: It doesn't take a genius to figure  
10 out that if you have got a potential for more  
11 contaminant to come through the site into the  
12 ground, the only way to stop it is to take it out  
13 from one end or the other, and I don't think you  
14 can stop the end that it's coming from, so you have  
15 got to have some method of taking it out from the  
16 other end.

17 MR. BLUM: What Bernie was even stressing  
18 before, they have capped a third of the landfill  
19 right now, and it's already reduced the amount of  
20 leachate that is being produced by the landfill.

21 We feel when they cap in two  
22 years, when they close, that is really going to  
23 eliminate the amount of leachate that goes into it.

24 We are not seeing --

1 treating, and you are merely monitoring, how are  
2 you stopping the flow right now of that  
3 contamination from moving westward?

4 MR. SCHORLE: When I talk about  
5 "containing," I'm talking about containing the  
6 source.

7 The source is the landfill  
8 itself.

9 A VOICE: Well, it is still leaking, though.  
10 No one has dug it up and  
11 patched it.

12 MR. SCHORLE: Yes, okay.

13 Well, what we are talking about  
14 to contain the source was primarily to get that  
15 leachate out of there.

16 A VOICE: You cap it, you are going to have  
17 less water flowing through it, but you still have  
18 the hole in the bucket, so what is stopping that  
19 from moving west?

20 MR. SCHORLE: Well, if we can greatly  
21 reduce, greatly reduce the amount that is flowing  
22 through that hole, then the ground will be able to  
23 handle it.

24 A VOICE: My last question, if you are not

1 A VOICE: If water can leach in, can't it  
2 leach in?

3 MR. SCHORLE: That cap design is such that  
4 very little water should get through.

5 I mean, there are -- there are  
6 some computer programs out there to try to estimate  
7 that, but particularly when you get into something  
8 like having a geomembrane, a geomembrane is not  
9 going to let the water through if it doesn't have  
10 any holes in it, but if you have some pinholes or  
11 you get a rip here, then that can be a problem.

12 I mean, the thing you do, you  
13 have done, to try to even eliminate that, is the  
14 water that does go through that top protectable  
15 air, we will get it out of there as quick as we can  
16 by putting a drainage layer.

17 A VOICE: The new site will be built over  
18 contaminated ground water, correct?

19 MR. SCHORLE: There may be a little bit of  
20 contamination down there, but, if so, it's probably  
21 coming over from Acme -- since that is pretty much  
22 side gradient from the land.

23 I don't know, don't know that  
24 this is -- I don't believe there is too much

1 contamination down there.  
 2 I haven't really looked at -- I  
 3 do have some monitoring results, but I haven't  
 4 really looked at them.  
 5 I am going to go to this  
 6 gentleman back there.  
 7 A VOICE: Yes. I was wondering what kind of  
 8 -- what kind of testing you have done on the  
 9 Kilbuck Creek water?  
 10 MR. SCHORLE: Pardon?  
 11 A VOICE: What kind of testing have you done  
 12 -- what did you find, you know, parts per billion,  
 13 micrograms per liter, in Kilbuck Creek? Have you  
 14 done any testing on Kilbuck Creek?  
 15 MR. SCHORLE: Yes, there is -- the release.  
 16 What I put on this one chart where I was looking at  
 17 the ones that have cropped up more commonly for  
 18 this site.  
 19 We have seen no -- none of the  
 20 VOC's that I am showing on this chart.  
 21 Thallium is one that has shown  
 22 up in '91, was part of the contribution to, I think  
 23 that was a non-carcinogenic problem.  
 24 A VOICE: What was that called? Thallium.

1 MR. SCHORLE: Thallium. That is a metal.  
 2 That does not show up or was not detected in  
 3 Kilbuck Creek.  
 4 Arsenic is not, dissolved  
 5 arsenic has not been detected.  
 6 When you sample for metals you  
 7 can do two different types of things: One is when  
 8 you take the sample, whether it's ground water or  
 9 surface water, you can filter it in the field to  
 10 get the solid, the solid material out, so you  
 11 pretty much have just the water, and then analyze  
 12 that. That's what we call a dissolved metal, what  
 13 shows up in there. Or we can just take the sample  
 14 and put it in the bottle and send it off to the lab  
 15 and then that's what we call total, say arsenic or  
 16 any -- any one of these things.  
 17 A VOICE: And how much did you find?  
 18 MR. SCHORLE: Pardon?  
 19 A VOICE: How much arsenic did you find in  
 20 the total?  
 21 MR. SCHORLE: I don't have that on this  
 22 chart.  
 23 Okay, now manganese is a very  
 24 common component of ground water or surface water.

1 The -- and the other thing  
 2 about manganese is it's another one of these  
 3 substances that's present in rock and so forth, and  
 4 it can be changed in form under certain conditions  
 5 that might exist in the ground to where it becomes  
 6 more soluble.  
 7 So for something like manganese  
 8 around the landfill, you have two possibilities.  
 9 One, you are getting some manganese into the ground  
 10 water from the leachate, the other one you are  
 11 solubilizing some of the manganese that may be  
 12 presented in the ground.  
 13 Now, manganese in the creek,  
 14 for this particular sampling, was 290 micrograms  
 15 per liter up gradient. 200 opposite the landfill,  
 16 and 420 down gradient.  
 17 A VOICE: And 50 is?  
 18 MR. SCHORLE: No, no, no, 50 is what it is  
 19 for -- 50 is the, for arsenic.  
 20 A VOICE: So what's for manganese?  
 21 MR. SCHORLE: Manganese has --  
 22 A VOICE: Where can we get these results?  
 23 MR. SCHORLE: Give me your name.  
 24 I mean, the reason that --

1 these are what I have taken off the sheets. I  
 2 haven't really had a chance to check them to make  
 3 sure I didn't make a mistake.  
 4 I can send you a copy of --  
 5 A VOICE: Okay.  
 6 A VOICE: Is it public record?  
 7 MR. SCHORLE: The sheets themselves are in  
 8 the repository -- that I got these off of.  
 9 A VOICE: Is that at your web site? Is that  
 10 information on the web site?  
 11 MR. SCHORLE: Not on the web site itself.  
 12 A VOICE: Why don't you publish it there?  
 13 You don't have to make everybody copies?  
 14 MR. SCHORLE: Yes, well, I can also e-mail.  
 15 This is all electronic, I can  
 16 e-mail it to you.  
 17 MR. BLUM: I hate to do this, but we got to  
 18 wrap this up just for a couple minutes.  
 19 The reason we are here tonight  
 20 is to get the public comment period, and if we  
 21 don't do that, we are in a lot of trouble.  
 22 MR. SCHORLE: Let me answer.  
 23 MR. BLUM: Okay, you got the one more.  
 24 MR. SCHORLE: For manganese, there is no

1 MCL's been sent.  
 2 There is what we call secondary  
 3 MCL for it, and secondary MCL's are not based upon  
 4 health, they are primarily based on things that  
 5 might affect taste or something like that.  
 6 And the secondary for manganese  
 7 would be 50 micrograms per liter.  
 8 A VOICE: And we are 290?  
 9 MR. SCHORLE: Yes.  
 10 But it was 290 up gradient of  
 11 the landfill, I mean, that was what was in the  
 12 creek before water.  
 13 A VOICE: But that is still coming from  
 14 Acme?  
 15 MR. SCHORLE: No, no.  
 16 Acme, Acme contamination is  
 17 primarily organic.  
 18 Now, it could -- it could cause  
 19 a change in manganese because of those organics  
 20 undergoing some changes in the ground and causing  
 21 changes in the chemistry.  
 22 Zinc, on that particular one,  
 23 zinc did show a big increase down gradient, but in  
 24 the previous year it didn't.

1 the environment is safe? What drop did you see,  
 2 Bernie?  
 3 MR. BLUM: One thing with the ROD amendment  
 4 too, is that it's really not saying we are not  
 5 going to do anything, it's the second operable unit  
 6 was in that southeast corner. The ground water  
 7 floor is in the southwest, so it's flowing into the  
 8 rest of the landfill, so we are not going to  
 9 separate that out anymore, we are going to treat it  
 10 with the rest of the site. And you have got to do  
 11 what are we going to do -- I just want to clarify  
 12 that, that is when they cap it they do the leachate  
 13 collection, the gas collection, and you can talk  
 14 more about that.  
 15 A VOICE: And you are not going to make them  
 16 pump-and-treat, that is really the big change?  
 17 MR. SCHORLE: Yes, that is the major change  
 18 at this point, yes.  
 19 A VOICE: Basically, what I am saying, I  
 20 want to make a public comment here, but I don't  
 21 have quite enough information.  
 22 What I am saying is in making  
 23 this ROD amendment proposal, what drops -- you saw  
 24 -- supposedly you saw some drops, the improvement

1 Ammonia nitrogen is showing a  
 2 change, apparently, as the water flows by the  
 3 landfill.  
 4 A VOICE: Going up?  
 5 MR. SCHORLE: Going up, yes.  
 6 MR. BLUM: Maybe we could get together and  
 7 go over these afterwards?  
 8 MR. SCHORLE: And the chloride is virtually  
 9 unchanged.  
 10 MR. BLUM: We can sit and talk about it  
 11 after the meeting. I don't mean to be rude, it's  
 12 just that we really got to move into this next  
 13 section.  
 14 Is it quick, sir?  
 15 A VOICE: That question that I had, had to  
 16 do with -- water quality in Kilbuck Creek and,  
 17 also, water quality determinability for the ROD  
 18 amendment here is that things seem to be going down  
 19 and, therefore, we are not going to do the  
 20 pump-and-treat, we are just going to kind of look  
 21 at it.  
 22 What did you, in making this  
 23 determination for a ROD amendment proposal, what  
 24 kind of decreases did you see that really said yes,

1 in quality or drops in concentration of  
 2 contaminants on the west side for OE-1.  
 3 What really convinced you that  
 4 these contaminants are dropping now, so we won't  
 5 require the pump-and-treat, we are just going to  
 6 kind of look at it, what drops, you know,  
 7 micrograms per liter? Did you say that? You said  
 8 yes?  
 9 MR. SCHORLE: I -- I can't answer that --  
 10 I mean, what we saw were -- were the drops which  
 11 indicated the decreases.  
 12 I mean, it's not just based,  
 13 the proposed change is not based just on that, it's  
 14 based on that plus the fact that we are going to be  
 15 containing the source. They do now own more  
 16 property on the west side of Kilbuck Creek.  
 17 And where the contamination is  
 18 now is not a threat to any existing wells.  
 19 If something changes over there  
 20 where somebody wants to put in something that is  
 21 going to require wells, where this might cause a  
 22 problem, then we may have to bring in this  
 23 contingent remedy which would require some --  
 24 MR. BLUM: That is the part that wasn't

1 quite stressed enough is that this is continually  
 2 monitored, right? There is monitoring wells  
 3 etcetera, etcetera.  
 4 If at some point we see that  
 5 there is a threat, the contingency is built into  
 6 this.  
 7 If you looked in the Fact  
 8 Sheet, the proposed plan, that we will implement  
 9 some type of active collection system or whatever  
 10 needs to be done to bring it back within control.  
 11 I mean, we are not saying that  
 12 we are never ever going to implement it. It might  
 13 be pump-and-treat, it might be whatever else we  
 14 determine is going to be necessary.  
 15 We are saying there is not a  
 16 threat, it doesn't look like it is moving anywhere  
 17 that is going to cause danger, so let's let it  
 18 attenuate naturally. If it not going to do so,  
 19 then we do have that option open to say okay, it's  
 20 necessary to do something else.  
 21 A VOICE: Will you monitor with the same  
 22 frequency that you are monitoring it now?  
 23 MR. SCHORLE: They do a major monitoring  
 24 event once a year, where they do the organics and

1 inorganics, and then the other three quarters of  
 2 the year they also monitor, but they don't check  
 3 for as many parameters.  
 4 A VOICE: When you say "They"?  
 5 MR. SCHORLE: This is the landfill.  
 6 A VOICE: So that is kind of like you  
 7 folks --  
 8 MR. SCHORLE: No, there is oversight of  
 9 this, also.  
 10 And the other thing, I mean  
 11 besides us, they are also, they are working with  
 12 the state, solid waste people. They have to abide  
 13 by the conditions of their permits. And I mean  
 14 they got --  
 15 A VOICE: So the fox is guarding the chicken  
 16 house is what you are saying?  
 17 MR. SCHORLE: No.  
 18 A VOICE: My question is, my question is  
 19 anyone else had pollution on their property, they  
 20 would be made to clean it up, they would stop, and  
 21 they would check on you, and they would make you --  
 22 A VOICE: That is not true. This is not  
 23 true, they don't.  
 24 A VOICE: We have, we had experience.

1 A VOICE: We got experience right next door.  
 2 A VOICE: I know, but that is what I am  
 3 saying they are getting away. Why are they not  
 4 getting stopped? They should be stopped right  
 5 now -- before it goes any further.  
 6 MR. BLUM: That is the shortest answer is  
 7 it's a permitted landfill that we don't feel is  
 8 actually causing eminent risk right now and we are  
 9 watching it.  
 10 I mean --  
 11 A VOICE: We watch it every day. It grows.  
 12 A VOICE: And smell it.  
 13 A VOICE: How high can they go?  
 14 MR. BLUM: I understand.  
 15 MR. SCHORLE: On the western end, they are  
 16 at their height.  
 17 A VOICE: How high is that?  
 18 A VOICE: If they are not going to cap that  
 19 for two years?  
 20 MR. SCHORLE: No. On the eastern end, they  
 21 are still filling.  
 22 I am saying, it could be --  
 23 even sooner than two years.  
 24 A VOICE: They are as high on the western

1 edge as they are the eastern end.  
 2 MR. SCHORLE: I don't know.  
 3 MR. BLUM: Okay, I am sorry, I really do. I  
 4 have got to step forward.  
 5 How this is going to work right  
 6 now is I am going to ask you to raise your hand, I  
 7 am going to call on you one at a time. We have to  
 8 do this in kind of an order here so that the court  
 9 reporter can record your name and is able to get  
 10 your public comments so we can make that part of  
 11 the record.  
 12 We will go back to question and  
 13 answers after we have ended the formal comment  
 14 period -- okay?  
 15 So, with that, I am going to  
 16 start the formal comment period right now and do I  
 17 have any volunteers?  
 18 This gentleman actually had his  
 19 hand up first, so if you could please --  
 20 MR. EKBERG: My name is John Ekberg.  
 21 My name is spelled E-k-b-e-r-g.  
 22 I have four quick points.  
 23 I would like to see it capped  
 24 now, or as soon as possible, all of that with that

1 membrane stuff.

2 No. 2, I would like more money  
3 for monitoring, and then for the people that live  
4 around it, they should be having money to go to the  
5 VOC testing, etcetera.

6 No. 3, I would like to see them  
7 pump-and-treat now, not wait until it becomes a  
8 problem.

9 No. 4, I would like to have all  
10 this paid for by Rockford Blacktop who does make  
11 approximately \$750,000 a day, two hundred million,  
12 approximately, a year. They have the deep pockets  
13 to do this. I can't believe, for an instant, that  
14 they don't want to do public treat because they  
15 don't have money, so I don't want it taxpayer  
16 money, I want it Rockford Blacktop money.

17 Thank you.

18 MR. BLUM: Thank you for your comment.

19 Sir?

20 MR. HENRY: My name is Jake Henry.

21 I am finding with the landfill  
22 the same thing I found with the dumping of the  
23 sludge. When these people run into a problem, they  
24 ask for a change. They ask the EPA for a change.

1 I am concerned about the fact  
2 that, for example, the LC, M-5 pump well, which is  
3 used to remove the leachate that accumulates at the  
4 bottom, after Winnebago County Reclamation Service  
5 is done with the landfill and could very easily go  
6 bankrupt, what kind of a surety bond or a fund have  
7 we got to keep this equipment running in the  
8 future? Because it appears that this is all going  
9 to be handled by one company, could just disappear,  
10 and the taxpayers must pick it up.

11 MR. BLUM: Thank you, sir.

12 We can talk about that later.

13 It was a tie. I am going to  
14 go with this gentleman here.

15 MR. BROWN: My name is David Brown. I live  
16 on Edison Road, the west of this site.

17 My only comment is that since  
18 1991, the initial ROD was put into place, and the  
19 problem is still there, and yet it appears that the  
20 owners of this site want to expand. And it doesn't  
21 seem responsible.

22 How can you continue to expand  
23 a project when you haven't been able to solve, I  
24 mean, you talk about containing the leachate.

1 You people are the stewards of  
2 the community. It's your job to protect us. Yet  
3 when they come into a hard spot, they say, "Look,  
4 we need a change," and you change it every time.

5 I can show you records where  
6 when they were dumping sludge, fecal Coliform was  
7 four times what it should be. And the response I  
8 got from the EPA was, well, it wasn't that bad, it  
9 was only one time.

10 See, it's one time of this and  
11 one time of that, and it keeps on going.

12 You people are not protecting  
13 the environment as you are set out to do. You are  
14 allowing a disruption of the natural environment,  
15 and it should come to a stop real soon. Like  
16 yesterday.

17 Thank you.

18 MR. BLUM: Thank you, sir.

19 Sir?

20 A VOICE: My name is Frank Wysocki, I am an  
21 resident of Winnebago County.

22 THE COURT REPORTER: How do you spell your  
23 last name?

24 MR. WYSOCKI: W-y-s-o-c-k-i.

1 Leachate is sometime coming out of the site. And  
2 yes, you can put a cap on it, but that doesn't mean  
3 it's not going to stop coming out.

4 I mean, it appears to me until  
5 you can plug the hole in the bottom of the bucket,  
6 you are always going to have the problem, and so I  
7 don't understand how they are able to keep  
8 expanding this site.

9 Who is to say 20 years from now  
10 the floor and sides that they put in this new dump  
11 are going to be any better than the ones they put  
12 in in 1972? So all we are taking is taking an  
13 existing problem, expanding it, and just moving out  
14 in a concentric circle larger and larger, affecting  
15 people's lives. You know, eventually, if this gets  
16 to Mayor Box's front door, maybe they will close  
17 this thing down, but right now we are just  
18 sacrificing the people that live to the west of the  
19 site and when their hair starts to glow at night,  
20 maybe, then, we will take notice.

21 MR. BLUM: Thanks.

22 Sir?

23 MR. MANZULLO: My name is Frank Manzullo,  
24 M-a-n-z-u-l-l-o.

1 I was in the area when they put  
2 the so-called liner in the Pagel Pit. I almost  
3 bought the farm after awhile. But they put a dump  
4 in there, and -- I think what was bothering my  
5 neighbors more than anything else was, in fact, the  
6 heavy concentration.

7 You have got the BFI to the  
8 south, you have got the sludge to the south and the  
9 west, up have got a dump, you are going to take and  
10 build a new one nearby, you have got the funds  
11 there, the site there where they have the Acme  
12 Solvent site, so I think what is bothering my  
13 neighbors is the fact that concentrations  
14 everything in that section of town, and the prison  
15 will put the clinker to it.

16 Does the EPA have the power  
17 right now to say, "We are going to shut the dump  
18 down forever"?

19 Okay.

20 The area has grown 80 percent,  
21 has grown to the north.

22 If the town has grown that way,  
23 would it be feasible to put a new landfill up in  
24 the Rosco-Rockton area where 80 percent of the

1 have looked at this site before they got in there  
2 and start digging, you wouldn't have, you wouldn't  
3 have thought this was such a good site.

4 It's not -- it wasn't built  
5 that way.

6 I mean -- you guys didn't do  
7 what you should have done. You should have looked  
8 at the site before you let them start digging.

9 MR. BLUM: Thank you.

10 Sir?

11 MR. BORCHARDT: My name is August Borchardt,  
12 B-o-r-c-h-a-r-d-t, and I live west of the site.

13 And, when we bought our house  
14 five years ago, when we purchased the house, our  
15 well was tested and passed the test.

16 We had it tested here about a  
17 year ago. It no longer passes the test.

18 The house to the east of me,  
19 which is between me and the pit, sold here about a  
20 year ago. They had to put some type of a  
21 purification system into that house in order to get  
22 it to pass inspection so it could be sold.

23 The house across the street  
24 from me, put in a new well last year, and that well

1 people are now going to because heavy concentration  
2 that is bothering me and my neighbors start the  
3 with the gravel pit. We used to play cans. And  
4 now you have got Mt. Ranier there, and it's getting  
5 bigger and bigger and bigger and we are all getting  
6 sucked into this thing here and is what is  
7 bothering my neighbors more than anything else.

8 The heavy concentration.

9 The EPA could say, "We have had  
10 enough, let's cap it, we'll go someplace else with  
11 the landfill and put it someplace else.

12 A VOICE: I have got a comment.

13 MR. BLUM: Sir, can you state your name?

14 A VOICE: Tom Maxwell. I live in Monroe  
15 Center, south of the landfill.

16 They put up a new landfill in.  
17 They dug the hole to do this liner and everything,  
18 they pump the water, the ground water out of there  
19 for a month before they could put the liner in. If  
20 they got to pump the water out, put the liner in,  
21 and they put the liner in below where the water  
22 was, what's -- I mean, the water's going to come  
23 back in there.

24 If anybody, if you guys would

1 that they, the brand new well that they sunk did  
2 not pass inspection.

3 Thank you.

4 MR. BLUM: Thank you, sir.

5 A VOICE: Shut the dump down.

6 MR. BLUM: Sir?

7 MR. DEAN EKBERG: My name is Dean Ekberg,  
8 E-k-b-e-r-g.

9 I operate the Ekberg Material  
10 Quarry just northwest of Pagel Pit.

11 Born and raised in the south  
12 part of the county.

13 MR. SCHORLE: Wait -- do you mean northwest  
14 or northeast?

15 MR. DEAN EKBERG: Northeast, northeast,  
16 sorry.

17 The original intent at Pagel  
18 Pit was to go to original contour. They have gone  
19 way past the original contour.

20 It's one of the highest points  
21 in the county.

22 My academic training is in  
23 environmental engineering, geological engineering.

24 I was appalled that first of

1 all, it was allowed to have two inches of asphalt  
2 as a liner. In all the studies in college and grad  
3 school I have done at that point, which is in the  
4 '70s, I have never heard of 2-inch asphalt liner.

5 And, secondly, the fact that  
6 you guys are Environmental Protection Agency, you  
7 represent us, you protect the environment, okay?  
8 And things like this happen that are unheard of,  
9 and you agree that it's okay. Okay?

10 In 1991, you say the remedy is  
11 to stop this dump, you know, stop what you are  
12 doing, get it cleaned up, pump-and-treat. Okay.  
13 Now here is -- here is blacktop for eight years  
14 making, you know, 100 million a year, two hundred  
15 million a year dumping on a Superfund Site, which I  
16 have never heard of either, as an environmental  
17 engineer, okay?

18 What you need to do when it's  
19 declared a Superfund Site, you need to solve the  
20 problem. And as an Environmental Protection  
21 Agency, you guys need to make sure that our  
22 environment is protected. And for eight years it's  
23 continued month after month after month of dumping  
24 garbage and sludge in the landfill, and leaking

1 leachate springs in the base of the landfill, it's  
2 disgusting.

3 The other thing you have got  
4 ravines running down into the landfill, cutting  
5 into the garbage, exposing cells, forget about the  
6 cap, you know, or the cover, intermediate vinyl  
7 cover, it just cuts through everything.

8 Two years ago the thing burned,  
9 and that was kept out of the news, conveniently.

10 I offered -- I offered my -- my  
11 settling pond, the water, to put out the fire,  
12 okay? The trucks could come, put their pumper  
13 trucks, put out the fire at Pagel Pit. This thing  
14 was burning, okay? It was a major fire. It was 12  
15 alarm fire, okay?

16 Kept out of the news.

17 I couldn't even -- I couldn't  
18 continue operation of the quarry two years ago.

19 And I went over there to the  
20 scale house and I said, "I would like to offer, as  
21 a neighbor, I would like to offer my water to put  
22 out your fire. Your landfill is burning." And  
23 Gary Masoratti, I will just mention, I know you are  
24 not supposed to mention guys names, but I will just

1 like a sieve going to the west messing up Kilbuck  
2 Creek, messing up the sand and gravel to the west,  
3 and probably the fractured dolomite to the west,  
4 okay?

5 As he said, the gentleman  
6 previous to me, "It's messing up the wells to the  
7 west." That's a fact. That's not contaminants  
8 going down, that's contaminants going up. And what  
9 you need to do is say, "Boys, shut her down and  
10 pump-and-treat and protect our environment."

11 Another thing I have got to say  
12 is I go up and down Lindenwood all the time.  
13 Previously in the questions they were talking about  
14 that along that ditch along Lindenwood, you got  
15 leachate springs coming out of the landfill, the  
16 base of the landfill, numerous, not just one,  
17 numerous springs coming out of the base of the  
18 landfill. It kills the vegetation. They have to  
19 keep going in there, scraping it off, putting dirt,  
20 making it look nice so it doesn't look so bad.

21 Who knows what pH is? You  
22 know, the ammonia and nitrate contents is probably  
23 ridiculous coming out of there.

24 When you get those kind of

1 mention his name, Gary Masoratti said, "We don't  
2 want your water." Okay?

3 He is the one who let the  
4 landfill burn. Okay?

5 So, finally, I got ahold of  
6 Milford Fire Department. They said they are gonna  
7 get water from Ekberg Material, and they are going  
8 to put out the fire, which then they did. They  
9 came and got water and put out the fire.

10 That is the kind of stuff that  
11 goes on at Pagel Pit landfill.

12 It's irresponsible because  
13 somebody has got deep pockets. It doesn't mean  
14 that they can corrupt, I am not accusing you guys  
15 of anything, but it seems like when you get a guy  
16 with deep pockets they got a lot of money, it seems  
17 like they can get their way. You know, if the  
18 landfill burns, if it leaks, if it had leachate  
19 springs, you got ravines cutting in there. If you  
20 wanted to put a new landfill in the middle of a  
21 floodplain, it's okay, you know, we will find a  
22 loophole, we will talk to the right people and we  
23 will do it.

24 As an environmental engineer, I



1 think it's irresponsible to put a landfill in a  
2 known floodplain; Kilbuck Creek floodplain, it's  
3 irresponsible.

4 You can compromise a liner with  
5 that kind of pressure from the outside. You are  
6 eventually going to get a compromise in that liner  
7 on the new landfill, and that is why EPA normally,  
8 I don't think they ever allow, you know, in the  
9 middle of a creek, of a river bed or a floodplain  
10 to put a landfill, particularly with the kind of  
11 track record that Winnebago Reclamation, RBT,  
12 whatever, has with Pagel Pit.

13 They have got an irresponsible  
14 record, and you guys are saying we are going to  
15 give them a clean bill of health so they can do it  
16 again. And I don't think it's right -- thank you.

17 MRS. WINQUIST: My name is Mrs. Winquist,  
18 W-i-n-q-u-i-s-t. I have lived there at my present  
19 address for 52 years, so you can imagine the  
20 changes that I have seen.

21 And I have to look at that  
22 mountain every day. And I am definitely for  
23 closing the dump. We put up with enough.

24 MR. BLUM: Thank you, ma'am.

1 supposedly 40,000 fish killed out there. And I got  
2 ahold of EPA, personally, in Springfield, their  
3 representative down there, and I wanted to know  
4 what was released into the creek because I have  
5 horses and cows that sometimes get water out of the  
6 creek.

7 He told me he could not tell me  
8 anything. The only thing he could tell me was to  
9 keep my animals away from the creek.

10 And I thought that was just --  
11 well, you don't want to hear what I thought.

12 MR. BLUM: I apologize for that, sir.

13 A VOICE: That's insanity.

14 MR. BLUM: That was actually the Illinois  
15 EPA you talked to, but it doesn't matter, either  
16 way, that was not a good answer. Oh, sorry.

17 Any more? And remember, if you  
18 don't want to give them tonight, if you want more  
19 time, this comment period runs through September  
20 13th.

21 And again, my fax number, my  
22 e-mail address my mailing address are all on that  
23 Fact Sheet, and my business cards are all on the  
24 back table. And you can present your formal

1 Sir?

2 MR. JOHNSON: My name is Art Johnson. I am  
3 President of Winnebago County.

4 I would like the EPA to perhaps  
5 initiate a study on what would happen to this flow  
6 of ground water that you are talking about if our  
7 county puts in a proposed prison about a mile away,  
8 they are going to be pumping tens of thousands of  
9 gallons of water from a deep well, and what's going  
10 to happen to that flow of ground water at that  
11 point?

12 And would it be irresponsible  
13 of the county to go ahead and pursue this with that  
14 in mind?

15 MR. BLUM: Okay.

16 MR. JOHNSON: Thank you.

17 MR. BLUM: Sir?

18 MR. TROSPER: Several years --

19 THE COURT REPORTER: I need your name.

20 MR. TROSPER: Darius Trospen, D-a-r-i-u-s  
21 T-r-o-s-p-e-r.

22 And I live, I own both sides of  
23 the creek just west of 251.

24 And several years ago they had

1 comments that way, too.

2 I thought maybe you wanted to  
3 go again.

4 MR. SCHORLE: Comment period is over.

5 MR. BLUM: No, no, he wanted also to submit  
6 another one -- right?

7 MR. EKBERG: There has been fines also,  
8 against Winnebago Reclamation. They have been kept  
9 very quiet in the media, I can't imagine why, but  
10 kept very quiet. And leachate has been supposedly  
11 been pumped into the Kilbuck from the west side  
12 there. And fish kills, as was mentioned, fish  
13 kills, and also, livestock and in particular,  
14 livestock getting sick.

15 What I would like to say is  
16 where can we find out -- we can't find out from the  
17 media -- but I would like to find out what kind of  
18 fines have been implemented against Winnebago  
19 Reclamation, and why those have been, those have  
20 been instituted or charged.

21 I would also like to see -- I  
22 would like to see another public meeting for more  
23 public input.

24 This public notice for this

1 meeting right here was buried on page 8, and it's  
2 almost nobody, few people saw it. We tried to  
3 spread the word as fast as we could, but very few  
4 people had a chance to react and get prepared for  
5 this meeting tonight. And what I would like to  
6 see, as far as being responsible for protecting the  
7 environment, what I would like to see is at least  
8 one more meeting to get public input before this  
9 thing comes down from on high. That is what I  
10 would like to see.

11 MR. BLUM: Thank you.

12 MR. HENRY: As long as you can add, I want  
13 to know why the notice was buried, and if you are  
14 going to have another meeting, I can get you a  
15 place for about \$25.00, and it will hold another --

16 Why was it buried in the back  
17 of the paper? Shouldn't this be?

18 MR. BLUM: Actually, page 8 was across from  
19 the editorial page. When I took that out, they  
20 thought it would be a high visibility page rather  
21 than being buried in the want ads or something  
22 like that. I mean, it was a quarter page ad, and  
23 it wasn't my intent to bury it. I promise you  
24 that, if that's a bad shot.

1 MR. WYSOCKI: The whole concept is, aren't  
2 we getting, the ground table is going to get too  
3 risky here?

4 MR. SCHORLE: I am more worried about that  
5 one, than I am worried about what we are talking  
6 about.

7 MR. BLUM: Are there any more comments? Oh,  
8 maybe this leads into a discussion.

9 MR. SCHORLE: Let me add one thing.

10 MR. BLUM: Yes.

11 MR. SCHORLE: The Fact Sheet that was  
12 mailed out is kind of a condensation of the  
13 proposed plan.

14 Made somewhat simplified.

15 There is another more elaborate  
16 proposed plan, I had some copies back there, I  
17 didn't anticipate this many people coming.

18 If anybody wants a copy, either  
19 I can either send it by e-mail or I can mail paper  
20 copy to you. Let me know before you leave, and  
21 give me an address, and I will send it to you.

22 There is also a couple of the  
23 copies in the repository at the library.

24 MR. BLUM: Easiest may be grab my card and

1 MR. HENRY: Front page would be a lot  
2 nicer.

3 MR. BLUM: We didn't have many records for  
4 the site. Since '91 I drove along and wrote down  
5 addresses. I went and tried to find as many  
6 aldermen and county residents, any community  
7 groups, and we tried to create a mailing list and  
8 go that way. Now that you have signed in --

9 MR. HENRY: Rock River Reclamation has a  
10 mailing list.

11 A VOICE: You have a mailing list to give  
12 us our taxes.

13 MR. BLUM: This gentleman had one more  
14 comment, and now we go back to questions, okay?

15 Thank you very much.

16 MR. BLUM: Your name?

17 MR. WYSOCKI: Frank Wysocki. Winnebago  
18 County.

19 I notice, too, that you people  
20 have approved a landfill in Ogle County adjacent,  
21 again, to the floodplain that we currently have,  
22 browning Ferris, in which trucking or planning to  
23 truck garbage out of Chicago.

24 A VOICE: 600 trucks a day.

1 call me.

2 There is an eight hundred  
3 number you can call us at, too.

4 If you want to write this down,  
5 it's 1-800-621-8431. And then there is a long  
6 extension with that, it's extension 38501. It's  
7 really the last five numbers of my direct number  
8 because 800 number is a separate number.

9 Rather than getting that  
10 automated operator, if you dial those last five,  
11 you go right to my desk.

12 A VOICE: What was the number again?  
13 1-800 --

14 MR. BLUM: 621-8431 -- and then you got the  
15 extension.

16 A VOICE: One primary question, please?

17 MR. BLUM: I wanted to actually talk for a  
18 second.

19 I know there is a lot of  
20 questions about permitting of landfills, and things  
21 like that, and I may be wrong but -- a lot of that  
22 is either -- state-driven or local-driven issues  
23 that honestly, we don't deal with. Where are we  
24 going to place a landfill here? We are going to

1 place a landfill there, that is not a Federal level  
2 issue.

3 There are regulations that have  
4 been set. The state regulation is also on every  
5 program that exists, have to be meet or exceed  
6 federal standards in order for them to be able to  
7 run their own program, and I mean, that's all -- I  
8 am not knowledgeable about permitting landfills,  
9 but I just --

10 MR. SCHORLE: *There is kind of two types of*  
11 *landfills, primary types. One we call subtitle C,*  
12 *one we call subtitle D, it goes back to the*  
13 *original -- one of the solid waste laws that were*  
14 *passed.*

15 A Subtitle C landfill is  
16 essentially for hazardous materials. And that, I  
17 am not exactly sure where they -- who handles that  
18 in the State of Illinois, whether it's the state or  
19 the federal government.

20 Subtitle D landfills are what  
21 we call sanitary landfills, like the Pagel's Pit or  
22 the Browning Ferris one, I believe, is sanitary.  
23 Those are handled directly by the state, the siting  
24 of them, the permitting of them. I guess as far as

1 would be -- would have to accept the  
2 responsibilities that they already have with regard  
3 to the future maintenance and so forth.

4 A VOICE: But if you let them off the hook  
5 now and say no pump-and-treat, and that is passed  
6 on, indeed, to the other one then, essentially,  
7 Rockford Blacktop, my question is will they be held  
8 responsible for the future?

9 MR. SCHORLE: I would assume that anybody  
10 that would be knowledgeable enough to want to buy a  
11 landfill would look into those types of things and  
12 realize what risks they are getting into.

13 And this goes into one other, I  
14 believe you may, point you made, is that consent  
15 decree also requires a certain amount of financial  
16 assurance that the work will be done.

17 This financial assurance is  
18 presently covered by a letter of credit and a trust  
19 fund.

20 Now, the state permitting or  
21 the state regulations with regard to solid waste  
22 landfills also requires financial assurance that  
23 these things will be done in the future -- even  
24 when the landfill is closed.

1 siting goes, there is -- I understand some local  
2 input with regard to that.

3 But the permitting of those  
4 kind of landfills is handled by the state.

5 MR. BLUM: I guess what I was getting at  
6 there, I mean as far as placement and things like  
7 that, I mean you need to put pressure on your state  
8 and local representatives on that issue. Not --  
9 not -- sir?

10 A VOICE: If this amendment is actually  
11 approved by the EPA, the word on the street is  
12 Rockford Blacktop wants to get out of business and  
13 sell the pit. Now, whether that is true is or not  
14 is conjecture. But, according to the settlement --  
15 if they did wish to do that, could they do that,  
16 and would they still then be held liable for any  
17 future damage?

18 MR. SCHORLE: There is a -- as a result of  
19 -- of the negotiations we had after the 1991 Record  
20 of Decision, there was a consent decree was  
21 reached. This was entered in the Court, I think,  
22 sometime in 1993.

23 Under the terms of that, they  
24 can sell the landfill, but whoever would buy it

1 A VOICE: What if it went bankrupt? Would  
2 it go back to the taxpayers to clean it up?

3 MR. SCHORLE: Then the money that is in the  
4 financial assurance would pay for that.

5 A VOICE: What if it's not enough?

6 A VOICE: How much is in the trust fund now?

7 MR. SCHORLE: The total of the two is -- I  
8 believe somewhere between three or three and-a-half  
9 million dollars.

10 A VOICE: That is all? Three or three  
11 and-a-half million dollars?

12 A VOICE: Buy a new truck.

13 A VOICE: Gordon, can you review for us the  
14 next steps? What happens next?

15 You gonna take these public  
16 comments, right? Somebody is going to read them,  
17 look at them or whatever. Somebody -- somebody is  
18 going to go behind closed doors and say, you know  
19 what? This is probably a case study of what you  
20 need to do. This is eight years of inefficient  
21 monitoring that has happened here. Let's develop a  
22 conscience. Walk out of this room and really  
23 protect these people. What happens behind these  
24 closed doors?

1 MR. BLUM: That is exactly what you said.

2 We take the input and we actually, legitimately --

3 A VOICE: How many people are behind these  
4 closed doors?

5 A VOICE: It's more than just you and you?

6 MR. SCHORLE: Yes, we prepare, it's  
7 primarily me, writing up the Record of Decision and  
8 the Responsiveness Summary.

9 Then that goes through a chain  
10 of sign off at the agency, and probably will  
11 require a briefing of the -- I believe now the  
12 record.

13 There used to be the Record of  
14 Decisions were signed by the Regional  
15 Administrator. I believe now they are signed by  
16 the -- the Director of the, in our case, the  
17 Superfund Division. And it would require, I  
18 believe, a briefing.

19 I have already briefed him  
20 before the proposed plan went out, and then,  
21 probably, would have to brief him again.

22 A VOICE: If citizens disagree with your  
23 Record of Decision, is there an appeal process?

24 MR. SCHORLE: I am not sure how to answer

1 Browning Ferris had to shut  
2 down their pit, so they went just a little bit  
3 south, and they are putting up a new one.

4 Blacktop is having a problem  
5 with their pit. After coming to you and get all  
6 the changes that they are going to get, now it's  
7 screwed up beyond belief, so we can't get anymore  
8 changes.

9 Now they are going to cap that  
10 off, and they are going to build to the south.

11 Is that -- is that the pattern?  
12 What I am saying is we just keeping moving  
13 everything. Or when you contaminate the ground  
14 beyond belief, and it can't be cleaned up anymore,  
15 well, okay, guys, you are going to have to shut  
16 this down, but I tell you what, why don't you just  
17 go a little south? Say, there is an idea. By God,  
18 we will go south.

19 A VOICE: "Go south, young man."

20 MR. SCHORLE: I am not sure what is  
21 happening down at Browning Ferris.

22 A VOICE: I can tell you for a fact they  
23 shut him down in the one place, now they re-opened  
24 just south of that. But --

1 that.

2 That question came up once  
3 before, and I can't remember what I found out.

4 I think there is some, some  
5 type of -- of a thing that you can go through. I  
6 am not sure whether it's in the Superfund law or  
7 not.

8 A VOICE: When you make your decisions, is  
9 that a public meeting?

10 MR. SCHORLE: No. What we do is just issue  
11 the Record of Decision. Then there will be a  
12 Notice put out, probably an ad put in the paper  
13 that it's been issued. A copy of it will go into  
14 the repository.

15 A VOICE: Pardon me. Gentleman in the  
16 yellow shirt, you mentioned the supervisor. Could  
17 we have his or her name?

18 MR. BLUM: Sure.

19 It's William Muno, M-u-n-o.

20 He is Superfund Director for  
21 Region V in Chicago.

22 A VOICE: Thank you.

23 A VOICE: There seems to be a pattern that  
24 has developed here.

1 MR. SCHORLE: I don't know why.

2 A VOICE: That has been blocked out of  
3 Chicago.

4 Republic also bought Allied's,  
5 Alliance's, five major commercial contracts, and  
6 Alliance turned around and bought out BFI.

7 It's a mystery as to what  
8 happens around here, but we keep going south.

9 MR. SCHORLE: As far as the Pagel Pit site  
10 goes, the reason it's shut down is they are  
11 reaching their permitted capacity.

12 A VOICE: And they have also got the ground  
13 water screwed up beyond belief to where -- why you  
14 can't fix it any more? You have given them change  
15 after change after change.

16 When they come to you and say,  
17 "We have a problem," how come you guys can't say,  
18 "Well, look, go by the rules, and you won't have  
19 any more problems." Why do you do this tap dance,  
20 which was hard to hear on the carpeting, and give  
21 them every damn means they need to get out of a  
22 bind rather than stick by the rules?

23 You know, guys, we are going to  
24 wind up with three-eyed fish and 15-legged frogs

1 out there, and nobody is going to care because you  
 2 are sitting in Chicago.  
 3 A VOICE: Has there ever been a dump that  
 4 hasn't polluted?  
 5 MR. SCHORLE: That has not polluted?  
 6 A VOICE: Yes.  
 7 MR. SCHORLE: I wouldn't know. I don't  
 8 know if anybody has ever made a study like that.  
 9 MR. WYSOCKI: How badly has the Calumet --  
 10 MR. SCHORLE: There are some, on the south  
 11 side of Chicago, in the Lake Calumet area, there  
 12 are a lot of garbage dumps.  
 13 MR. BLUM: Sir, you know, I have landfills  
 14 where I live, too. I don't like the fact that they  
 15 are there, but --  
 16 A VOICE: Are they right in your backyard?  
 17 MR. BLUM: They are Superfund sites nearby.  
 18 I live down in Aurora, and it is an industrial  
 19 area.  
 20 I guess what I am getting at is  
 21 you have to do what's -- we do everything we can to  
 22 protect human health and environment, and that's  
 23 what we believe what we are doing right now.  
 24 A VOICE: You told us it was the state and

1 the county, and that as to the landfill, but now,  
 2 once it's screwed up beyond belief, then you guys  
 3 step in.  
 4 Somebody should be stepping in  
 5 before, shouldn't they?  
 6 MR. SCHORLE: Well, part of that stepping  
 7 in is the change in the criteria, and the  
 8 regulations that the State of Illinois has put in.  
 9 A VOICE: Who is the steward in charge of  
 10 this?  
 11 MR. BLUM: I guess what he is saying, we are  
 12 treating it the best way we think possible now.  
 13 A VOICE: But it's too late.  
 14 The ground is shot.  
 15 A VOICE: Have you ever seen a class action  
 16 lawsuit from the people that live around the area  
 17 that their wells are polluted and that? More than  
 18 three million?  
 19 MR. SCHORLE: No, I have not heard of any.  
 20 A VOICE: Would you back the people?  
 21 A VOICE: They didn't back us with the  
 22 sludge, why would they back us with this?  
 23 MR. SCHORLE: If a lawsuit or that type, I  
 24 am not a lawyer, so I don't know.

1 I would assume if a lawsuit  
 2 like that was filed, we would not become a party to  
 3 it.  
 4 A VOICE: You would require a subpoena, for  
 5 the record.  
 6 MR. BLUM: All of your --  
 7 For a private citizen, if he  
 8 wants a copy of the records, we normally do not  
 9 charge them.  
 10 A VOICE: Rock River Reclamation.  
 11 MR. BLUM: I am telling you what the USEPA  
 12 is.  
 13 MR. SCHORLE: Going back to the lawsuit  
 14 thing, I don't want to say too much about it.  
 15 There are some restrictions as  
 16 far as -- even just employees that have been  
 17 working on something getting involved in a lawsuit.  
 18 There are restrictions on even  
 19 testifying.  
 20 A VOICE: Can't they -- can't the EPA at  
 21 least make the party to bring water out to the  
 22 people?  
 23 MR. BLUM: Well, sir, actually, anyone that  
 24 we thought would have had a threat of contamination

1 in the well, the landfill did hook them up to clean  
 2 water from that deep well.  
 3 We are monitoring the site  
 4 right now to make sure that there is no threat. If  
 5 there is an eminent threat that we thought that  
 6 this contamination is spreading, as we are  
 7 monitoring it, then we would go to the landfill  
 8 because it's in this Record of Decision that we are  
 9 proposing here tonight. They would have to do  
 10 either pump-and-treat, or some other type of  
 11 engineering plan, whatever engineering study  
 12 determines to be the most applicable and best  
 13 remedy at the time to treat that.  
 14 We are not saying we are  
 15 walking away from this site, and you know, we are  
 16 just going to pop in once in awhile, and if the  
 17 ground water happens to contaminate over here, so  
 18 be it. I mean -- that is not the way it's working  
 19 -- I understand your frustration, though.  
 20 MR. SCHORLE: One correction to what he  
 21 said.  
 22 The houses that were supplied  
 23 with involving the water supply along Lindenwood  
 24 Road, that was part of the Acme Solvent settlement.

1 A VOICE: Then how come Rockford Blacktop  
 2 bought 90 percent of it? If it was just --  
 3 A VOICE: It was cheap land.  
 4 A VOICE: Yes, he bought it cheap.  
 5 A VOICE: Buy up the complainers.  
 6 MR. BLUM: I don't know the answer to that.  
 7 Sir?  
 8 A VOICE: I have a couple questions.  
 9 On the regards to this record  
 10 of -- this ROD amendment, if this thing is  
 11 approved, if they go through the ROD amendment  
 12 changing it, you don't need to pump-and-treat, we  
 13 will just kind of look at it. Is this --  
 14 MR. BLUM: Let's look at it for right now,  
 15 not forever. You understand what I mean? I mean,  
 16 we are not saying --  
 17 A VOICE: If you guys say that okay, no  
 18 action, and monitor natural attenuation, which is  
 19 basically watching it go to waste, does Rockford --  
 20 excuse me, Winnebago Reclamation, does Winnebago  
 21 Reclamation need this clean bill of health to go  
 22 forward with their dump to the south?  
 23 MR. SCHORLE: I can't answer that.  
 24 I don't believe there is any --

1 as long as they are working with the State and in  
 2 compliance with their permit on their, on the  
 3 north, what we call the North Unit, I don't believe  
 4 that there would be any effect on the South Unit.  
 5 A VOICE: So they don't have to get anything  
 6 amended, they can barrel right ahead with their  
 7 landfill no matter what you decide?  
 8 MR. SCHORLE: I am not sure.  
 9 As far as I know, what we  
 10 decide has nothing to do with what the state people  
 11 might require.  
 12 A VOICE: One more question.  
 13 The Illinois EPA used to be in  
 14 charge of the Pagel Project, right?  
 15 MR. SCHORLE: They still are.  
 16 A VOICE: Still are in charge of the Pagel  
 17 --  
 18 MR. SCHORLE: Illinois EPA is the one who  
 19 has issued the permit, and that's -- they have to  
 20 abide by their permit.  
 21 A VOICE: Then why did the USEPA get  
 22 involved?  
 23 MR. SCHORLE: Because the site was scored  
 24 and placed on the NPL back in the mid '80s.

1 A VOICE: That is why you got --  
 2 A VOICE: What's the NPL?  
 3 MR. SCHORLE: National Priorities List.  
 4 I -- I guess there is some like  
 5 1200 sites nationwide -- well, even more than  
 6 nationwide. I guess even America Samoa has one or  
 7 two sites.  
 8 A VOICE: If there are so many parties like  
 9 the Winnebago Reclamation, and the Illinois EPA,  
 10 why aren't they here -- to answer questions?  
 11 You guys know a lot, but they  
 12 are the ones who are doing it every day. They need  
 13 to be at a meeting with us to talk to us.  
 14 MR. SCHORLE: Okay.  
 15 The Illinois EPA Superfund  
 16 person normally would be at meeting like this.  
 17 He has another site that he has  
 18 a public meeting for tomorrow night, so he couldn't  
 19 make it.  
 20 Normally, we would not have say  
 21 people from the Solid Waste Permitting Section down  
 22 there at a meeting like this.  
 23 I mean, if -- I guess if you  
 24 have questions for them, then they should be

1 addressed to them.  
 2 MR. BLUM: Sir?  
 3 A VOICE: Of the 1200 sites that you have on  
 4 the National Priorities List, how many are still in  
 5 -- I mean, are still adding more garbage to the  
 6 site?  
 7 MR. SCHORLE: As far as on the NPL, I think  
 8 at one time I saw a figure like something like 20  
 9 percent of them were landfills or former landfills.  
 10 I doubt very much if there are  
 11 more than a handful, if that, that are still  
 12 operating.  
 13 A VOICE: So is it safe to say that we are  
 14 unique in that we are on the National Priorities  
 15 List, and the site could have as much as two more  
 16 years of garbage dumped in it?  
 17 MR. SCHORLE: It's somewhat unique in that  
 18 regard, but the other thing with regard to this is  
 19 a lot of sites that were still operating and were  
 20 -- there were a number of sites that were still  
 21 operating and proposed for the NPL back in probably  
 22 -- now, I am saying proposed for the NPL back in  
 23 the mid to the late '80s that were withdrawn from  
 24 proposal to the NPL, and put under what we call our

1 RCRA Corrective action type of program, which is  
2 very similar to what we do here, but it's not  
3 handled by Superfund, it's handled RCRA is really  
4 for -- I can't even remember what it stands for,  
5 but it is the --

6 MR. BLUM: Resource Conservation Recovery  
7 Act. It's --

8 MR. SCHORLE: It has nothing to do with the  
9 fact it handles mostly solid waste.

10 MR. BLUM: They handle things ongoing,  
11 normally industry, and things like that. Superfund  
12 was originally designed to handle abandoned waste  
13 sites.

14 A VOICE: Sites that should be abandoned.

15 MR. BLUM: Because there was no prior  
16 environmental laws beforehand.

17 Superfund was basically the  
18 first one, so you had all these sites at that time  
19 that were out there, Love Canal, etcetera,  
20 etcetera.

21 After we started doing that, we  
22 started to realize we should try to stop the ones,  
23 that is where RCRA steps in. So, while those two  
24 perhaps -- were getting started, there is some

1 over there.

2 One thing I did not mention  
3 before is the ammonia concentration thing was a  
4 surprise because we normally do not analyze for  
5 ammonia when we are doing an investigation, I am  
6 not sure exactly why, and -- for this site, we  
7 didn't do an ammonia analysis. And then they  
8 eventually found out that they had these high  
9 concentrations, and the problem with the ammonia is  
10 that once you pump that water, if you pump the  
11 water out of the ground for a pump-and-treat  
12 system, in order to dispose of it, you have to meet  
13 the requirements and what we call an NPDES permit,  
14 National Pollution Discharge -- anybody that is  
15 discharging a treated stream to a service body has  
16 to do this.

17 And in order to meet the  
18 expected requirements under a permit like that, we  
19 would have to treat for ammonia to get the ammonia  
20 concentrations under control.

21 MR. MANZULLO: Bernie, my brother, is a  
22 congressman for the district here, Congressman  
23 Manzullo. He wasn't even notified this was going  
24 on.

1 overlap like this site, if we did it all over  
2 again, wouldn't be Superfund, it might be another  
3 program, but anyway, that is a lot of government  
4 bureaucracy, so --

5 A VOICE: As I understand it, there is  
6 supposed to be pumping, treating now to clean up  
7 the site, and if they are not doing that, they are  
8 coming to say, change the law.

9 It makes it easier for me to  
10 comply.

11 It's just like if I get stopped  
12 for speeding and I ask them to change the speeding  
13 law, it doesn't make sense. If they are not  
14 complying with the law now, why change it so they  
15 come into compliance?

16 MR. SCHORLE: Well, it's not really a law  
17 that we are talking about, it was the requirements  
18 of the Record of Decision. And what we are doing  
19 is proposing to change those requirements.

20 A VOICE: Did they come to you or did you go  
21 to them?

22 MR. SCHORLE: It's something that has  
23 developed over a period of time.

24 As we learn more about what was

1 His office called me. I'm a  
2 bartender, by the way.

3 His office called me three  
4 times to find out what's going on.

5 He works with Mrs. Browner. He  
6 is the federal -- he works with the EPA all the  
7 time.

8 His office had no idea what was  
9 going on here.

10 MR. BLUM: I already talked to the people in  
11 our Congressional Relations Office, because I gave  
12 them the Fact Sheet, weeks ago, told them to try to  
13 mail it out. I talked to Brian Davis today.

14 MR. MANZULLO: He called to you today,  
15 right?

16 MR. BLUM: He said, "I might have got it. I  
17 am sorry, I might have overlooked it."

18 I said, "You should have  
19 because I know that they are diligent about that  
20 and I don't want to make congressmen mad."

21 A VOICE: His office was notified there was  
22 a meeting?

23 MR. BLUM: Should have been.

24 MR. SCHORLE: Well, they should have been

1 mailed the Fact Sheet, yes, but I mean, they should  
2 have. Whether they were or not, we don't know.

3 A VOICE: Because he called up Mrs. Brown to  
4 find out what is going on. He does it all the  
5 time.

6 Mrs. Browner is --

7 A VOICE: Could we invite her out here,  
8 maybe?

9 A VOICE: The cost, do you guys know how  
10 much per day or per year the cost to run these  
11 recycling pumps, and how much it would cost to, if  
12 you had to suddenly decide that we better treat  
13 this for this ammonia because it's becoming a  
14 serious problem? We haven't been running the pump,  
15 so we don't have any idea.

16 MR. SCHORLE: There was a cost estimate  
17 made.

18 I think they shut the air  
19 off.

20 Okay, the background we did,  
21 the '91 ROD, the Feasibility Study at that time,  
22 what I referred to in this one thing is the air  
23 stripping part would be the pump and treat because  
24 you probably wouldn't do air stripping on that.

1 tell them they have got it up the ante because  
2 right now, it is going to cost more than the  
3 trust fund just to put the one station one, and  
4 it's going to cost you a million dollars a year to  
5 run it.

6 MR. BLUM: Is that standard? Can we do  
7 that?

8 MR. SCHORLE: It depends on what the  
9 consent decree says.

10 MR. BLUM: We will talk to our attorney  
11 about that.

12 A VOICE: I have a quick thought.

13 More for the people here.

14 What are we going to do to keep  
15 informed, rather than wait for the media to tell us  
16 and wait for another when it's printed in the  
17 newspaper? You know, we don't have any other time.  
18 Maybe I am just asking you people here who would  
19 like to be a contact person? I just want to pass  
20 it.

21 A VOICE: I vote for Manzullo.

22 A VOICE: Ask your local bartender.

23 MR. BLUM: You know, I am your point of  
24 contact. That is my job. I work in Public

1 The cost for, capital cost was  
2 estimated for \$320,000 for capital, about \$95,000  
3 annual operating costs.

4 Now, the contractor that looked  
5 at the air sparging also looked at the, if we were  
6 to do that type of a thing today with -- but with  
7 the increased flow and increased ammonia, and he  
8 estimated the cost then -- about three point one  
9 million for capital, and about \$780,000 for annual  
10 operating.

11 The difference is back in '91  
12 we are talking 100 gallons per minute, and now they  
13 are talking about maybe 500 gallons per minute.  
14 And then, of course --

15 A VOICE: My concern, Bernie, is that the  
16 fund, trust fund put aside then won't cover it if  
17 you decide it has to be done now.

18 MR. SCHORLE: The trust fund is based, the  
19 estimates upon which the trust funds are based are  
20 really based on the 1991 ROD.

21 A VOICE: Yes.

22 Which makes it, in my opinion,  
23 you have to go back to whoever, and I am going to  
24 pick on Winnebago Reclamation, I have no idea, and

1 Affairs. So, anytime you do have a concern or you  
2 need to talk to somebody or else please contact me.  
3 I mean, I will try to do anything I can. If we  
4 need come out here, we will come out here.

5 A VOICE: How many calls will it take to  
6 have another meeting? You know, we would like one.  
7 Should we call you or --

8 MR. BLUM: If you would like us to come out  
9 here again, please call me.

10 A VOICE: I think I can speak for the group  
11 here. We want another public meeting.

12 A VOICE: We do.

13 MR. BLUM: We are not informed. We want to  
14 be prepared this time. We want another public  
15 meeting. I think I can speak --

16 A VOICE: And I think something as important  
17 as this should come across the news, on the TV, not  
18 in the newspaper, because a lot of people don't get  
19 newspapers. And if I had not received a telephone  
20 call, I would not have known about it.

21 MR. BLUM: I apologize.

22 We did contact all the media,  
23 radio, TV and newspaper.

24 A VOICE: But it's hidden, like everything



1 else.  
 2 MR. BLUM: You know, if there is not  
 3 something exciting for them to video, something  
 4 blowing up, or get in an accident or something,  
 5 they don't want a shot of me talking about -- that  
 6 is why they are here tonight. This was something  
 7 for them to react to.  
 8 A VOICE: You know the kind of old money  
 9 holds to themselves, and they really don't want us  
 10 peons to know what the heck was going on.  
 11 I think that would be the other  
 12 side of it.  
 13 MR. BLUM: I mean, I don't know, if you are  
 14 talking about old money --  
 15 A VOICE: I'm referring to politics, yes.  
 16 MR. BLUM: I mean, we did do a call-in show  
 17 yesterday on WNTA. I don't know how that is, but I  
 18 talked to Suzanne Lee, myself and Bernie --  
 19 A VOICE: I heard it.  
 20 A VOICE: How did I sound?  
 21 MR. SCHORLE: I mean -- the common way of  
 22 letting people know about these public meetings is  
 23 the newspaper ad.  
 24 A VOICE: Big enough to read, though.

1 MR. BLUM: Yes.  
 2 A VOICE: There is a church in New Milford  
 3 you can get it for \$25.00.  
 4 A VOICE: Ours is free.  
 5 MR. BLUM: What is the most convenient?  
 6 A VOICE: Village Hall.  
 7 A VOICE: Any time, it will be ready.  
 8 MR. BLUM: Okay.  
 9 Could we get your name and  
 10 number?  
 11 A VOICE: Okay.  
 12 MR. BLUM: If I set up a date with you,  
 13 though, are you going to be able to spread the  
 14 word?  
 15 A VOICE: Yes, I think we can get it around.  
 16 A VOICE: Frank Manzullo, he is the man.  
 17 MR. BLUM: We will try to do it the not next  
 18 week, but the following week, the early part of the  
 19 week Monday or Tuesday.  
 20 (Whereupon, the meeting  
 21 ended at 9:25 p.m., and  
 22 was re-set to September 8,  
 23 1999.)  
 24

1 We are getting old. We need 20  
 2 point.  
 3 MR. SCHORLE: A quarter page is a rather  
 4 large ad.  
 5 A VOICE: So, sir, if you are the public  
 6 relations gentleman, why don't we set up a date,  
 7 now, before you set the last time to put in your  
 8 input is September 13th?  
 9 MR. BLUM: Right.  
 10 A VOICE: Why don't we make a date now since  
 11 there is a majority of the people still here?  
 12 A VOICE: So that we can let neighbors know.  
 13 MR. SCHORLE: I don't mind.  
 14 MR. BLUM: Yes. I wish I had my calendar  
 15 here, but --  
 16 Would next week or the week  
 17 after be okay?  
 18 Is anybody going to volunteer?  
 19 Does anybody have a place we could have it that --  
 20 that, you know, of a meeting place that we could  
 21 have? Basically, because I am not going to have  
 22 time to go through the bureaucracy --  
 23 A VOICE: We have got a place for 300, will  
 24 that do?

1 STATE OF ILLINOIS )  
 2 ) SS.  
 3 COUNTY OF DUPAGE )  
 4  
 5

6 DIANE HROMEK, being first duly sworn, says  
 7 that she is a court reporter doing business in the  
 8 City of Chicago and the State of Illinois, and that  
 9 she reported in shorthand the proceedings had at  
 10 the hearing of said cause, and that the foregoing  
 11 is a true and correct transcript of her shorthand  
 12 notes, so taken as aforesaid, and contains all the  
 13 proceedings of said hearing.  
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